

# LISKOW & LEWIS

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October 7, 2015

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SUPERFUND DIV.  
REMEDIAL BRANCH  
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**Via Electronic Mail and U.S. Mail**

Mr. Kenneth Talton, Enforcement Officer  
Superfund Enforcement Assessment Section (6SF-TE)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

Re: Ingram Barge Company's First Supplemental Response to U.S. EPA's Request for Information Pursuant to CERCLA Section 104(e): SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana - CERCLIS # LAD008434185

Dear Mr. Talton:

Pursuant to Section 104(e) of CERCLA, the United States Environmental Protection Agency ("EPA") directed a Request for Information dated May 15, 2015 ("Information Request"), to Ingram Barge Company ("Ingram") concerning the SBA Shipyard Site ("SBA Site"). This response supplements Ingram's August 20, 2015 response to the Information Request and is therefore referred to as the "First Supplemental Response." Ingram incorporates by reference into this First Supplemental Response the General Objections and Comments and Specific Objections set forth in Ingram's August 20th response.

Enclosed with this First Supplemental Response is: (1) a DVD containing documents ranging from ING00674-ING00918 and (2) a privilege log that has been revised to reflect the inclusion of documents ranging from ING00653-ING00916. Ingram is providing these supplemental materials because, following the submittal of Ingram's August 20th response, Ingram's in-house counsel located additional documents relating to the SBA Site. The majority of these additional documents constitute attorney-client communications and/or are protected by the work product doctrine and therefore have been added to Ingram's privilege log. A small portion of these additional documents are not privileged or otherwise protected and are being produced today on the enclosed DVD. The documents being produced today are very similar to the documents produced in connection with Ingram's August 20th response, and in some cases are nearly identical, but are being produced in the interest of completeness and out of an abundance of caution.

**Supplement to Response to Request Nos. 1 & 5:** In the August 20th response, Ingram noted that it had located only one former employee with apparent material knowledge concerning the SBA Site (a Mr. Alvin Bailey), but that it had not yet had a substantive conversation with Mr.

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October 7, 2015

Bailey.<sup>1</sup> On September 11, 2015, Ingram's in-house counsel (Mr. Andrew Brown and Ms. Leigha McMullen) interviewed Mr. Bailey in-person. During that interview, Mr. Bailey stated that he had no specific recollection of using SBA Shipyards, Inc. ("SBA Shipyards") for any repairs while he was employed by Ingram. When asked why his name appeared on various putative invoices from SBA Shipyards (these invoices are discussed in Table 1 attached to the August 20th response), he explained that he was the Tank Bank Manager during the time frame of those putative invoices and any such invoices during that time would have been directed to him, even if he had not been the Ingram employee who arranged for the barge service. Mr. Bailey said that the individuals who would have made those arrangements might have been Greg Schluss or Rick Howze. (Mr. Schluss, however, has told Ingram's in-house counsel that he has no recollection of SBA Shipyards, and Mr. Howze apparently died in the 1990s).

As to the general nature of the dealings with SBA Shipyards (*see* Request No. 1), Mr. Bailey said that Ingram would not have sent barges to SBA Shipyards with the intention of disposing of materials; rather, the primary purpose would have been repairs.

**Supplement to Response to Request No. 14:** During the interview on September 11, 2015, Mr. Bailey also stated that prior to working at Ingram, he was employed at Edwards from 1947-1960 (off and on) and then worked for "Indian Towing" from about 1960-1971. He recalled sending at least one barge called the "Trojan" to SBA Shipyards between 1965 and 1968 while working for Indian Towing, and he thought that Edwards would have sent barges to SBA Shipyards as well.

Please feel free to contact us if you have questions about this First Supplemental Response.

Very truly yours,



Robert E. Holden  
Attorney for Ingram Barge Company

REH:ddt  
Enclosure

cc: Ms. I-Jung Chiang, EPA

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<sup>1</sup> See Ingram's Response to Information Request at p. 7 & Table 2 (Aug. 20, 2015).

**FIRST SUPPLEMENTAL AND RESTATED PRIVILEGE LOG**  
**INGRAM BARGE COMPANY'S RESPONSE TO EPA CERCLA §104(e) INFORMATION REQUEST**  
**October 7, 2015**

<b>Bates</b>	<b>Date</b>	<b>From</b>	<b>To</b>	<b>CCs</b>	<b>Description</b>	<b>Basis of Privilege or Protection</b>
ING 00195-00196	04/05/2001	Robert Holden, Esq. (Liskow & Lewis)	Dan Mecklenborg, Esq. (Ingram Barge Company)		Letter providing legal advice concerning SBA Shipyards remediation	Attorney Client; Attorney Work Product
ING 00204	03/02/2001	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Email chain regarding legal advice concerning SBA Shipyards remediation	Attorney Client; Attorney Work Product
ING 00205	03/01/2001	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Email chain regarding legal advice concerning SBA Shipyards remediation	Attorney Client; Attorney Work Product
ING 00206	02/16/2001	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter providing status update on SBA Shipyards remediation	Attorney Client
ING 00207-00210	05/13/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter providing legal advice re SBA Shipyards	Attorney Client; Attorney Work Product
ING 00211	05/15/1997	Dan Mecklenborg, Esq.	Robert Holden, Esq.		Attorney-client fax transmittal regarding SBA Shipyards	Attorney Client

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ING 00214-00215	05/12/1997	Dan Mecklenborg, Esq.	Robert Holden, Esq.		Attorney-client fax transmittal regarding cleanup effort at SBA Shipyards	Attorney Client; Attorney Work Product
ING 00216-00217	05/07/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter providing legal advice regarding SBA Shipyards remediation	Attorney Client; Attorney Work Product
ING 00218-00220	03/27/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Fax transmittal of letter concerning allocation at SBA Shipyards	Attorney Client
ING 00221-00224	02/06/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Fax transmittal of letter reporting on SBA Shipyards customer meeting on February 4, 1997	Attorney Client; Attorney Work Product
ING 00225-00228	02/06/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter reporting on SBA Shipyards customer meeting on February 4, 1997	Attorney Client; Attorney Work Product
ING 00229-00239	01/28/1997	Michael Chernekoff, Esq. (Jones, Walker)	SBA Customer Group		Memorandum regarding SBA Shipyards Participation Agreement	Joint Defense [confidential memorandum]

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Bates	Date	From	To	CCs	Description	Basis of Privilege or Protection
ING 00240-00242 ING 00243-00249	01/28/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Fax transmittal regarding re SBA Shipyards Customer Group	Attorney Client; Attorney Work Product
	1/23/1997	Michael Chernekoff, Esq.	SBA Customer Group		Memorandum summarizing visit to SBA facility with Mike Pisani and meeting with SBA representatives	Joint Defense [confidential memorandum]
ING 00250-00252	01/15/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Fax transmittal regarding L&L Oil Company buyout agreement for SBA Shipyards	Attorney Client
ING 00256-00258 ING 00259-00261	1/15/1997	Robert Holden, Esq.	Daniel Mecklenborg, Esq.		Fax transmittal regarding Mike Chernekoff's new proposal	Attorney Client
	01/14/1997	Michael Chernekoff, Esq.	SBA Customer Group		Memorandum regarding new allocation proposal for SBA Shipyards	Joint Defense [confidential memorandum]

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ING 00262-00263	01/10/1997	Michael Chernekoff, Esq.	SBA Customer Group		Memorandum regarding participation agreement for SBA Shipyards	Joint Defense [confidential memorandum]
ING 00264	12/20/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter providing status update regarding participation agreement for SBA Shipyards	Attorney Client; Attorney Work Product
ING 00274	12/13/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter regarding SBA Customer Group	Attorney Client
ING 00279 ING 00280-00292	12/06/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter regarding formation of SBA Customer Group	Attorney Client
	12/04/1996	Michael Chernekoff, Esq.	SBA Customer Group		Memorandum regarding formation of SBA Customer Group and attaching SBA Shipyard Participation Agreement	Joint Defense [confidential documents]

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ING 00293-00295	12/04/1996	Michael Chernekoff, Esq.	SBA Customer Group	Bryan Domning Randy Watts Bob Holden Preston Shuford Duke Gremillion Dan Finocchi Bob Johnson Benny Cenac, Jr. Roger Beaudeon Ed O'Connell Jon-Al Duplantier Edward F. Lebreton, III Tommy Lind Michael Pisani Robert O'Neal James Berry	Memorandum regarding draft participation agreement for SBA Shipyards Customer Group	Joint Defense [confidential memorandum]
ING 00296	12/02/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter regarding Memorandum from Michael Chernekoff	Attorney Client
ING 00300-00302	11/25/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter regarding SBA customers' meeting on November 20, 1996	Attorney Client; Attorney Work Product
ING 00306-00307	11/22/1996	Michael Chernekoff, Esq.	SBA Customer Group		Memorandum summarizing consensus reached at customers' meeting	Joint Defense [confidential memorandum]

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ING 00315-00317	11/22/1996	Michael Chernekoff, Esq.	SBA Customer Group		Memorandum summarizing consensus reached at customers' meeting	Joint Defense [confidential memorandum]
ING 00321-00323	11/15/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter providing status update regarding customers' meeting	Attorney Client
ING 00329-00330	11/11/1996	Dan Mecklenborg, Esq.	Robert Holden, Esq.		Letter regarding upcoming customers' meeting	Attorney Client; Attorney Work Product
ING 00335-00337	11/05/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter regarding customers' meeting	Attorney Client; Attorney Work Product
ING 00342	10/1/1996	Robert Holden, Esq.	William Morelli, Esq. (Ingram Barge Company)		Letter regarding draft consent agreement and consent order between EPA and SBA Shipyards	Attorney Client; Attorney Work Product
ING 00369	10/1/1996	Robert Holden, Esq.	William Morelli, Esq.		Letter regarding draft consent agreement and consent order between EPA and SBA Shipyards	Attorney Client; Attorney Work Product

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ING 00418-00420	05/31/1996	Robert Holden, Esq.	William Morelli, Esq.		Letter reporting on SBA Shipyards' Customers Meeting on May 29, 1996 in Lafayette	Attorney Client; Attorney Work Product
ING 00444	05/02/1996	Robert Holden, Esq.	William Morelli, Esq.		Letter regarding William Hodgkins' sampling results at SBA Shipyards Site	Attorney Client; Attorney Work Product
ING 00460-00461	4/26/1996	Robert Holden, Esq.	William Morelli, Esq.		Letter regarding background on SBA Shipyards Site	Attorney Client; Attorney Work Product
ING 00462	04/26/1996	Robert Holden, Esq.	William Morelli, Esq.		Letter regarding SBA Shipyards Customers Meeting	Attorney Client; Attorney Work Product
ING 00473-00476	04/09/1996	William Morelli, Esq.	Robert Holden, Esq.		Letter enclosing file on SBA Shipyard matter	Attorney Client; Attorney Work Product
ING 00493	12/20/2005	G C Slawson, Jr., Esq. (Liskow & Lewis)	Paul Mercer, Esq. (Ingram Barge Company)		Email providing status update on SBA Shipyard Matter	Attorney Client; Attorney Work Product

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ING 00494-00500	09/27/2005	G C Slawson, Jr., Esq.	Paul Mercer, Esq.	Bob Holden	Letter providing legal advice regarding EPA notice (dated July 7, 2005) to Ingram concerning SBA Shipyards Site	Attorney Client; Attorney Work Product
ING 00501-00532	01/31/2006	G C Slawson, Jr., Esq.	Paul Mercer, Esq		Letter providing legal advice regarding SBA Shipyards Site	Attorney Client; Attorney Work Product
ING 00545-00547	05/31/1996	Robert Holden, Esq.	William Morelli, Esq.		Letter reporting on SBA Shipyards' Customers Meeting on May 29, 1996 in Lafayette	Attorney Client; Attorney Work Product
ING 00653	05/12/1997 (inter-office correspondence) 05/13/1997 (handwritten notes)	Roy Claverie, Esq.	Dan Mecklenborg, Esq.	C. Philip B. Morelli, Esq. D. Rickenbaugh	Inter-office correspondence regarding voluntary cleanup of SBA Shipyards site (also contains handwritten notes from "Bill M." to Roy)	Attorney Work Product

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ING 00654-00656	05/15/1997	Dan Mecklenborg, Esq.			Draft letter from Dan Mecklenborg, Esq. to Dave Wagstaff at National Marine, Inc. regarding possible voluntary cleanup of SBA Shipyard Site (also contains handwritten notes)	Attorney Work Product
ING 00657	02/16/2001 (received 2/23/2001)	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter regarding SBA Shipyards remediation	Attorney Client
ING 00658-00659	11/10/1996	Dan Mecklenborg, Esq.	Robert Holden, Esq.		Letter regarding November 13, 1996 meeting of former and current SBA customers	Attorney Client; Attorney Work Product
ING 00660-00661	11/10/1996 (transmitted 11/11/96)	Dan Mecklenborg, Esq.	Robert Holden, Esq.	W.P. Morelli (bcc)	Letter regarding November 13, 1996 meeting of former and current SBA customers	Attorney Client; Attorney Work Product

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ING 00662 ING 00663-00664	05/12/1997 (marked received 05/12/1997)	Roy Claverie, Esq.	Dan Mecklenborg, Esq.	C. Philip B. Morelli D. Rickenbaugh	Ingram inter-office correspondence regarding cleanup of SBA Shipyards Site	Attorney Work Product
	05/12/1997	Dan Mecklenborg, Esq.	Robert Holden, Esq.		Fax transmittal of Ingram inter-office correspondence regarding cleanup of SBA Shipyards Site	Attorney Client
ING 00665	5/12/1997	Roy Claverie	Dan Mecklenborg, Esq.	C. Philip B. Morelli D. Rickenbaugh	Ingram inter-office correspondence regarding voluntary cleanup of SBA site (contains handwritten notes to "Roy" from "Bill M." and handwritten notes from "Roy")	Attorney Work Product
ING 00666-00669	5/15/1997	Roy Claverie			Drafts of letter to Dave Wagstaff regarding possible voluntary cleanup of SBA site	Attorney Work Product
ING 00670-00673	5/15/1997	Dan Mecklenborg, Esq	Robert Holden, Esq.		Fax transmittal of draft letter from Roy Claverie to David Wagstaff regarding possible voluntary cleanup of SBA site	Attorney Client; Attorney Work Product

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ING 00677	04/30/1996	W.P. Morelli, Esq.	C.E. Philip C.J. Sanders, III D.T. Martin D.G. Sehr E.T. Harnack	R.E. Claverie, Esq.	Ingram inter-office correspondence regarding use of SBA Shipyards for barge repair or cleaning work	Attorney Client
ING 00678	01/04/2001				Handwritten notes from Ingram's files regarding allocation of responsibility at SBA Shipyards Site	Attorney Work Product
ING 00679-00681	04/05/1996	W.P. Morelli, Esq.	R.E. Claverie, Esq.	J.E. Anderson C.E. Philip O.H. Ingram D.E. Rickenbaugh D.T. Martin D.M. O'Loughlin	Ingram inter-office correspondence regarding cleanup of SBA site and attached summary of cleanings, both with handwritten notations	Attorney Client; Attorney Work Product
ING 00682-00685	01/14/1997	Michael Chernekoff	SBA Customer Group		Memorandum regarding new proposed funding tiers	Joint Defense [confidential memorandum]
	01/15/1997	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Fax transmittal of Chernekoff's memorandum regarding new proposed funding tiers	Attorney Client

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ING 00686-00824	04/26/1996	Robert Holden, Esq.	William Morelli, Esq.		Letter regarding (a) background documents addressing SBA Shipyards that Craig Wyman, an attorney at Liskow & Lewis, collected from the Louisiana Department of Environmental Quality ("LDEQ") and (b) constituents that would not have been carried on Ingram's barges; and attached collection of documents from LDEQ that were selected by Mr. Wyman	Attorney Client; Attorney Work Product (covers both letter from Robert Holden to William Morelli, and attorney's selection of documents at LDEQ's offices) [Note that documents obtained from LDEQ are in the public domain and are equally available to EPA]
ING 00825-00826	04/05/2001	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter considering whether Ingram should participate in the SBA Shipyards remediation (with handwritten notations)	Attorney Client; Attorney Work Product

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ING 00832	11/05/1996	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter regarding meeting of former and current SBA customers on November 13, 1996	Attorney Client; Attorney Work Product
ING 00833-00834	11/25/1996 (marked received 12/2/1996)	Robert Holden, Esq.	Dan Mecklenborg, Esq.		Letter reporting on the November 20, 1996 meeting among current and former SBA customers	Attorney Client; Attorney Work Product
ING 00844	05/02/1996 (marked received 05/07/1996)	Robert Holden, Esq.	William Morelli, Esq.		Letter transmitting sampling results for two borings near SBA pits	Attorney Client; Attorney Work Product
ING 00863	10/01/1996 (marked received 10/7/1996)	Robert Holden, Esq.	William Morelli, Esq.		Cover letter transmitting Bill Hodgkin's memorandum of 9/27/1996 enclosing draft Consent Agreement and Consent Order between EPA and SBA Shipyards (with handwritten notes)	Attorney Client; Attorney Work Product
ING 00890-00891		William Morelli, Esq.	Robert Holden, Esq.		Letter re routing correspondence from Schwab & Walter	Attorney Client

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Bates	Date	From	To	CCs	Description	Basis of Privilege or Protection
ING 00913	undated	William Morelli, Esq.			Handwritten notes summarizing a telephone conversation with Robert Holden regarding allocation of responsibility	Attorney Work Product
ING 00914-00916	04/09/1996	William Morelli, Esq.	Robert Holden, Esq.		Letter enclosing Mr. Morelli's file on SBA Shipyard matter	Attorney Client; Attorney Work Product
	04/05/1996	W.P. Morelli, Esq.	R.E. Claverie, Esq.	J.E. Anderson C.E. Philip O.H. Ingram D.E. Rickenbaugh D.T. Martin D.M. O'Loughlin	Ingram inter-office correspondence regarding cleanup at the SBA Shipyards site	Attorney Client; Attorney Work Product

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**REDACTIONS TO PRODUCED DOCUMENTS**

<b>Bates</b>	<b>Date</b>	<b>From</b>	<b>To</b>	<b>CCs</b>	<b>Description</b>	<b>Basis of Privilege or Protection</b>
ING 00192-00193	10/28/1996	William E. Hodgkins, Esq. (Schwab & Walter)	Robert Holden, Esq.	Louis Smaihall Bill Morelli	Letter about SBA Shipyards, Inc. contract with Woodward-Clyde to prepare remediation and closure plans	Attorney Work Product Notes Redacted
ING 00343-00368	9/27/1996	William E. Hodgkins, Esq.	To Whom It May Concern		Memorandum attaching draft consent agreement and order between EPA and SBA Shipyards, Inc.	Attorney Work Product Notes Redacted
ING 00370-00395	10/01/1996	William E. Hodgkins, Esq.	To Whom It May Concern		Memorandum attaching draft consent agreement and order between EPA and SBA Shipyards, Inc.	Attorney Work Product Notes Redacted
ING 00533-00534	7/7/2005	Gene Keepper, RCRA Project Manager, EPA Region 6	Ingram Barge Lines		Notification and request response for investigation and remediation activities at SBA Shipyards, Inc.	Attorney Work Product Notes Redacted

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<b><u>REDACTIONS TO PRODUCED DOCUMENTS</u></b>						
<b>Bates</b>	<b>Date</b>	<b>From</b>	<b>To</b>	<b>CCs</b>	<b>Description</b>	<b>Basis of Privilege or Protection</b>
ING 00864-00889	09/27/1996	William E. Hodgkins, Esq.	To Whom It May Concern		Memorandum attaching draft consent agreement and order between EPA and SBA Shipyards, Inc.	Attorney Work Product Notes Redacted

Reference  
Number: \_\_\_\_\_

Attorney  
Initial: \_\_\_\_\_

## LISKOW & LEWIS

A Professional Law Corporation

One Shell Square  
701 Poydras Street, Suite 5000  
New Orleans, LA 70139

Mr. Kenneth Talton, Enforcement Officer  
Superfund Enforcement Assessment Section (6SF-  
TE)  
U.S. Environmental Protection Agency, Region 6  
1445 Ross Avenue  
Dallas, TX 75202-2733

Ingram Barge Company's First  
Supplemental Response to CERCLA  
§ 104(e) Information Request  
Document Production  
ING00674-ING00918  
October 7, 2015

Schwab & Walter  
Attorneys at Law

John Schwab  
Gerald L. Walter, Jr.

William E. Hodgkins  
Anne Jordan Crochet  
John F. Derenbecker  
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Brent B. Boxill

10636 Linkwood Court  
Baton Rouge, Louisiana 70810-2854  
Telephone (504) 767-1460  
Fax (504) 769-0010

APR 30 1996

file  
SBA

April 24, 1996

Robert E. Holden  
LISKOW & LEWIS  
701 Poydras St., Ste. 5000  
New Orleans, LA 70139

RE: Follow Up to Request for Voluntary Funding and Notice of  
Proposed Meeting  
SBA Shipyards, Inc.

Dear Mr. Holden:

As indicated in the April 12, 1996 letter to the U.S. Environmental Protection Agency of which you received a copy, SBA Shipyards, Inc. ("SBA") has had the surface impoundments sampled by TRC Environmental Solutions, Inc. ("TRC") for purposes of conducting a treatability study and preparing a remediation and closure cost estimate. TRC has indicated that the results of the study and its cost estimates will be available by May 15, 1996. TRC is conducting the treatability study and preparing the remediation and closure cost estimate at no cost with the understanding that it will not be precluded from being considered as a bidder for conducting the actual closure and remediation activities.

Accordingly, we are proposing a **meeting on Wednesday, May 29, 1996 in Lafayette, Louisiana** at a location to be announced at a later date and inviting those we believe may be included as SBA's current and former customers. If you would like to attend the meeting, whether you believe you are or have been a customer, please advise.

If you are planning on attending, we will endeavor to provide you with a summary of the results of TRC's treatability study and their remediation and closure cost estimate at least three to four days in advance of the proposed meeting date. A proposed agenda for the meeting is attached. Please review the proposed agenda and fax me any suggested revisions that you feel are appropriate.

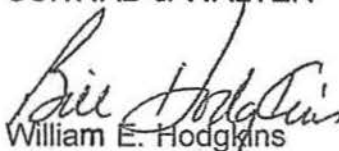
Robert E. Holden  
April 24, 1996  
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If you should have any questions in the interim, please do not hesitate to contact the undersigned, or J. Mike DiGiglia of our office, at your convenience.

Sincerely,

SCHWAB & WALTER

  
William E. Hodgkins

WEH/mr

Enclosure: Proposed Agenda for May 29, 1996 SBA Customer Meeting

c: William P. Morelli ✓

## **PROPOSED AGENDA**

### **MEETING OF SBA SHIPYARD, INC.'S CUSTOMERS PERTAINING TO THE ENVIRONMENTAL REMEDIATION AT SBA**

**MAY 29, 1996**

#### **I. INTRODUCTION**

- ◆ Representatives of SBA Shipyards, Inc.
- ◆ Representatives of TRC Environmental Solutions, Inc.

#### **II. NATURE AND SCOPE OF KNOWN ENVIRONMENTAL PROBLEMS**

- ◆ Tanks and Converted Barges
- ◆ Surface Impoundments
- ◆ Land Treatment Area
- ◆ Groundwater

#### **III. REVIEW OF TREATABILITY STUDY AND COST ESTIMATES**

- ◆ Treatability Study
  - Relevant Chemical and Physical Parameters Encountered/Considered
  - Technology Options Considered/Tested
    - ❖ Surface Impoundments
    - ❖ Tank Contents
  - Results and Conclusions
- ◆ Remediation and Closure Cost Estimates
  - Preparation of Closure Plan
  - Preparation of Phased Hydrocarbon Removal and Groundwater Remediation Plan
  - Surface Impoundment/Land Treatment Unit Closure
  - Tank Closure
  - Free-Phase Hydrocarbon Layer Recovery
  - Groundwater Pumping, Treatment and Monitoring
  - Time Tables for Completion

#### **IV. ALLOCATION OF LIABILITY/COSTS**

- ◆ Number of Barges Cleaned
- ◆ Volumes of Material Removed From Each Barge
- ◆ Nature of Material Removed From Each Barge
- ◆ Information regarding SBA

#### **V. PROJECT AND FUND MANAGEMENT**

- ◆ Consideration of Formation of Legal Entity Owned by Each Party Participating in Cleanup Proportionate to Agreed Upon Participation.
- ◆ Board Members and Officers of Legal Entity
- ◆ Selection of Closure and Remediation Contractor(s)
- ◆ On-Site Management of Closure and Remediation Activities

#### **VI. VISIT TO SBA SHIPYARDS, INC.'S FACILITY**



Conoco Inc.  
P.O. Box 4783  
Houston, Texas 77210-4783

Facsimile Transmission

**URGENT!**

Date:

14 November 1996

From:

Jon-Al Duplantier, Legal	Phone No: (281) 293-1044
Houston, TX	Fax No.: (281) 293-5064

To:

Michael A. Chernekoff	Fax No.: 504/582-8583
Bryan Domning	Fax No.: 713/651-1944
Randy Waits	Fax No.: 504/581-6020
✓ Bob Holden	Fax No.: 504/556-4108
W. Bruce Law	Fax No.: 804/545-5692
Preston Shuford	Fax No.: 409/883-5661
Duke Gremillion	Fax No.: 318/774-3503
Stephen Ortiz	Fax No.: 318/232-9043
Dan Finocchi	Fax No.: 609/848-0535
Bob Johnson	Fax No.: 501/782-2833
Benny Genac, Jr.	Fax No.: 504/851-1761
Roger Beaudeon	Fax No.: 504/384-4240
Richard Childers	Fax No.: 504/832-8625
Ed O'Connell, Esq.	Fax No.: 412/227-2042
Scott Martin	Fax No.: 713/461-7319
Thomas Haines, Esq.	Fax No.: 215/977-6878
Vince Bargo, Esq.	Fax No.: 606/329-4412

No. of Pages: 4 + cover

Jon-Al Duplantier  
Attorney  
Environmental Group  
Legal Department

Conoco Inc.  
P. O. Box 4789  
Houston, TX 77210-4789  
(281) 283-1044 FAX (281) 283-4255  
Pager: (800) 608-3544

November 14, 1996

VIA FACSIMILE

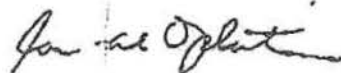
To Attached Distribution List:

As you all know, the November 13, 1996 meeting in New Orleans has been rescheduled. The meeting is now scheduled for Wednesday, November 20, 1996 at 2:00 p.m. in the offices of Jones, Walker located at 201 St. Charles Avenue, New Orleans, Louisiana 70170.

The purpose of the meeting will be to solicit comments and ideas regarding group organization to jointly participate in the closure and remediation activities. Topics for discussion will likely include: site overview, EPA's position, SBA's (including current and former owners') financial status, group formation (including suggestions on allocation approaches), insurance coverage, and interim plans forward.

For those of you who plan to attend the November 20 meeting, feel free to contact Michael Chernekoff (504/582-8264) or me if you have any questions or concerns.

Sincerely,



Jon-Al Duplantier  
Attorney for Conoco Inc.

**DISTRIBUTION:**

National Marine Service  
c/o Michael A. Chernekoff  
Jones, Walker  
201 St. Charles Avenue  
New Orleans, LA 70170  
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Sabine Towing Company  
c/o Bryan Downing  
Griggs & Harrison, P.C.  
1301 McKinney, Ste. 3200  
Houston, TX 77010-3033  
Fax No.: 713/851-1944

Canal Barge Company  
c/o Michael A. Chernekoff  
Jones, Walker  
201 St. Charles Avenue  
New Orleans, LA 70170  
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Edwards Transport  
c/o Randy Waits  
Emmett, Cobb, Waits & Kesseneich  
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c/o Randy Waits  
Emmett, Cobb, Waits & Kesseneich  
1515 Poydras, Suite 1950  
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Ingram Barge Lines  
c/o Mr. Bob Holden  
Liskow & Lewis  
701 Poydras Street, Suite 5000  
New Orleans, LA 70139  
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Allied Towing  
c/o W. Bruce Law  
P. O. Box 717  
Norfolk, VA 23501  
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Hollywood Marine  
c/o Bryan Domning  
Griggs & Harrison, P.C.  
1301 McKinney, Ste. 3200  
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Marine Operations, Inc.  
c/o Stephen Ortle  
P. O. Box 51694  
Lafayette, LA 70506  
Fax No.: 318/232-9043

Sargent Marine  
c/o Dan Finocchi  
868 Marine Road  
Woodbury, NJ 08096  
Fax No.: 609/848-0535

Sargent Marine  
c/o Bob Johnson  
2601 South Dallas  
Ft. Smith, AR 72901  
Fax No.: 501/782-2833

Cenac Towing Company  
c/o Benny Cenac, Jr.  
P. O. Box 2617  
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Leevao/Domar Marina  
c/o Roger Beaudeon  
P. O. Box 2528  
Morgan City, LA 70381  
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L & L Oil Company  
c/o Richard Childers  
P. O. Box 6984  
Metairie, LA 70009  
Fax No.: 504/832-8625

Beazer-East, Inc.  
c/o Ed O'Connell, Esq.  
436 7th Avenue  
Pittsburgh, PA 15219  
Fax No.: 412/227-2042

Martin Gas Marine  
c/o Scott Martin  
8582 Katy Freeway, #112  
Houston, TX 77024  
Fax No.: 713/461-7319

Sun Oil Company  
c/o Thomas Haines, Esq.  
1801 Market Street  
Philadelphia, PA 19103  
Fax No.: 215/977-6878

Ashland Oil Company  
c/o Vince Bargo, Esq.  
P. O. Box 391  
Ashland, KY 41114  
Fax No.: 606/329-4412

# INGRAM BARGE COMPANY

ROY E. CLAVERIE  
CHAIRMAN  
AND CHIEF EXECUTIVE OFFICER  
TEL. 615-298-8207



ONE BELLE MEADE PLACE  
4400 HARDING ROAD  
NASHVILLE, TENNESSEE 37205-2290  
TEL. 615-298-8200 - FAX 615-298-8213

May 15, 1997

Mr. David Wagstaff, III  
President and CEO  
Vectura Group Inc.  
1515 Poydras Street  
Suite 1500  
New Orleans, LA 70112

RE: SBA Shipyards

Dear Dave:

This letter is in response to our recent telephone conversation. As you probably know, a representative of Ingram has attended several meetings of the customer group of the SBA Shipyard facility regarding the possible voluntary performance by the group of an environmental remediation of the SBA Shipyard site. We are familiar with the customer group's plans to work with the site owner to remediate the oil pits.

It is our understanding that the site continues to operate under the supervision of Mr. Smailhall. Ingram believes that it is the responsibility of SBA Shipyards, Mr. Smailhall and the other operators of the facility to remediate their own site.

In addition, the records that SBA's attorneys have furnished to us indicate that Ingram sent seven barges to the SBA site from 1988 through 1990. Of these seven, it is likely that five of the barges carried petroleum products. Under the "petroleum exemption" in the Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), Ingram could have no liability for site remediation for cleaning residue from barges that were transporting petroleum products.

Further, it is unclear whether the other two or three barges contained hazardous substances that could conceivably count toward a CERCLA-type allocation. Even if these two or three barges did carry hazardous substances, it is unclear whether SBA was engaged to clean the barges or simply perform repairs. Only



A CHEMICAL MANUFACTURERS ASSOCIATION RESPONSIBLE CARE® PARTNER

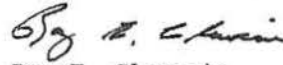
ING 00835

Mr. David Wagstaff, III  
May 15, 1997  
Page 2

if SBA cleaned the barges and only if they contained hazardous substances, would Ingram have potential exposure.

For these reasons Ingram might at some point consider a de minimis buy-out of some type; however, we are not willing to agree to the proposed 6% contribution towards the cleanup budget of \$2 million.

Yours very truly,



Roy E. Claverie

REC/ph

wagstaf2.doc

ING 00836

**Schwab & Walter**  
Attorneys at Law

John Schwab  
Gerald L. Walter, Jr.

William E. Hodgkins  
Anne Jordan Crochet  
John F. Derenbecker  
J. Lee Alcock, Jr.  
Brent B. Boxill

10636 Linkwood Court  
Baton Rouge, Louisiana 70810-8854  
Telephone (504) 767-1460  
Fax (504) 769-0010

**FACSIMILE COVER SHEET**

DATE: June 5, 1996 PAGE 1 OF 1 PAGES

TO: Michael Chernekoff ..... 504-582-8583  
Bryan Domning/F. William Mahley ..... 713-651-1944  
Vince Barto ..... 606-329-4412  
Bob Holden ..... 504-556-4108  
William Morelli ..... 615-298-8213  
W. Bruce Law ..... 804-545-5692  
Preston Shuford ..... 409-883-5661  
Duke Gremillion ..... 318-774-3503  
Mary Shaddock Jones ..... 713-868-6422  
Don Finocchi ..... 305-753-6603  
Bob Johnson ..... 954-753-6603  
Benny Cenac, Jr. .... 504-851-1761  
Roger Beaudean ..... 504-384-4240  
Rich Childers ..... 504-832-8625  
Ed O'Connell ..... 412-227-2042  
Thomas Haines ..... 215-977-6878  
Scott Martin ..... 713-461-7319

FROM: William E. Hodgkins

RE: Solicitation of Comments on Request for suggested contractors to be  
Included on the Bidder's List

Comment: Please fax any suggestions you have for contractors that are capable of  
preparing and performing the closure and remediation activities at SBA and  
which you would like to see included on a bidder's list by the end of the  
workday of Friday, June 7, 1996.

**PLEASE CONTACT RENEE AT (504) 767-1460 IF THERE IS ANY PROBLEM WITH  
THIS TRANSMISSION.**

**CONFIDENTIALITY NOTICE:** This facsimile transmission and/or the documents accompanying it, may contain confidential information belonging to the sender which is protected by the attorney-client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for the return of the documents.

ING 00837

**Schwab & Walter**  
Attorneys at Law

John Schwab  
Gerald L. Walter, Jr.

William E. Hodgkins  
Anne Jordan Crochet  
John F. Dercinbecker  
J. Lee Alcock, Jr.  
Brent B. Boxill

10636 Linkwood Court  
Baton Rouge, Louisiana 70810-2854  
Telephone (504) 767-1460  
Fax (504) 769-0010

**FACSIMILE COVER SHEET**

DATE: 5/28/96 PAGE 1 OF 6 PAGES

TO:

Michael Chernekoff	504-582-8583
F. William Mahley	713-651-1944
Tommy Lind	504-584-1588
Vince Barto	606-329-4412
Bob Holden	504-556-4108
William Morelli	615-298-8213
W. Bruce Law	804-545-5692
Preston Shuford	409-883-5661
Duke Gremillion	318-774-3503
Mary Shaddock Jones	713-868-6422
Stephen Ortle	318-232-9043
Don Finocchi	305-753-6603
Benny Cenac, Jr.	504-851-1761
Dennis Taylor	504 384-4240
Rich Childers	504-832-8625
Ed O'Connell	412-227-2042
Thomas Haines	215-977-6878
Scott Martin	713-461-7319

FROM: William E. Hodgkins

PLEASE CONTACT MELISSA AT (504) 767-1460 IF THERE IS ANY  
PROBLEM WITH THIS TRANSMISSION.

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**TRC Environmental  
Solutions Inc.**

21 Technology Drive  
Irvine, California 92718  
Telephone 714-727-9336  
Facsimile 714-727-7399

May 28, 1996

Project No. 96-183PR

Mr. Louis Smaihall  
SBA Shipyards, Inc.  
9040 Castex Landing  
Jennings, Louisiana 70546

Executive Summary of Treatability Study Results  
and Preliminary Cost Estimate for Remediation and Closure

Dear Mr. Smaihall:

**1.0 INTRODUCTION AND BACKGROUND**

1. TRC Environmental Solutions, Inc. is pleased to present this summary of Treatability Study results and preliminary remediation and closure cost information for the SBA Shipyards, Inc. site.
2. The SBA Shipyards site is located in Jennings, Louisiana. The site provides barge cleaning services that generate large volumes of water and oily materials.
3. Prior to 1990, the wastewater generated by these operations was processed by the use of settling pits. The settling pit process is described as follows:
  - Barge cleaning residuals were pumped into the oily waste pit.
  - The water layer was separated from the heavy oily materials (primarily coal tar), which sank to the bottom of the pit.
  - The water layer was transferred from the Oily Waste Pit into Water Pit Number 1.
  - The water separated from Water Pit Number 1 was transferred to Water Pit Number 2, and then to Water Pit Number 3.
  - The water from Pit 3 was then reused in the pit cleaning operations.
4. This process was discontinued and replaced by holding tanks.
5. Sludges generated in the water pits were periodically removed and placed in a sludge pit, as shown in Figure 1.
6. Based on our review of the data provided to us, the following remediation/closure issues have been identified for the SBA Shipyards site:
  - **Pit Materials:**
    - The Oil Pit, which contains approximately 3,000 yd<sup>3</sup> of coal tar, heavy hydrocarbons and sludge.
    - Water Pit 1, which contains approximately 2,500 yd<sup>3</sup> of sludge that has been solidified using lime and fertilizer.
    - Water Pit 2, which contains 300 yd<sup>3</sup> untreated sludge.
  - **Tank Materials:**
    - Approximately 1.1 million gallons of water and hydrocarbon emulsions are stored onsite in tanks and barges.

**TRC Environmental  
Solutions Inc.**

Mr. Louis Smailhall  
May 28, 1996  
Page 2

- Ground Water:
  - Shallow ground water has been impacted by the pit materials.
  - Some free product has been identified in subsurface investigations.
- 7. Based on the information presented, the pit materials appear to be regulated as RCRA wastes due to exceedances of Toxicity Characteristic Leaching Procedure (TCLP) limits and the potential acceptance of RCRA listed chemical residues. Under RCRA regulations, hydrocarbon materials may be recycled under limited circumstances, as long as the use does not constitute disposal.

**2.0 TREATABILITY STUDY RESULTS**

1. In preparing this proposal, TRC Environmental Solutions, Inc. performed a limited Treatability Study on the oil pit materials to determine if various low-cost remedial alternatives were applicable to the SBA Shipyards materials.
2. The Treatability Study evaluated the following alternatives:
  - Solidification/stabilization using various oil adsorptive and pozzolanic materials.
  - Recycling:
    - Road mix materials using aggregate and the oily sludges to produce any acceptable road base/road asphalt. This may be prohibited by RCRA regulations.
    - Fuel blending using kerosene or diesel as the dilution solvent to produce a usable fuel product.
    - Coal tar redistillation/recycling using a fractionation process to distill the coal tar products into various commercially usable materials, such as roofing tar and fuels. Current RCRA regulations allow the chemical reprocessing of these types of materials into nonregulated raw materials.
3. The results of the Treatability Study indicated the following:
  - Solidification/stabilization:
    - The Oil Pit materials solidified/stabilized during the treatability study were evaluated for their physical and chemical properties.
    - Leachability testing of the solidified/stabilized materials prepared in our laboratory using TCLP indicated no organic or inorganic constituents exceeding the EPA TCLP.
    - The solidified/stabilized material had an unconfined compressive strength of greater than 50 psi, and therefore could support a cap as part of site closure.
    - Estimated costs for solidification/stabilization of the soil pit materials and the remaining oily sludges range from \$35 to \$50 per ton.

**TRC Environmental  
Solutions Inc.**

Mr. Louis Smaihall  
May 28, 1996  
Page 3

- The Pit 1 materials treated with lime and fertilizer by SBA Shipyards showed leachable hydrocarbons by TCLP testing.
- The Pit 2 materials which have not yet been treated by SBA are expected to respond similarly to the Oil Pit materials.
- The underlying soils were not tested as part of this treatability study, but are assumed to be treatable using the same approach.
- **Road Mix:**
  - Use of the oil pit materials produced a road type asphalt material, which meets or exceeds the ASTM requirements for slow cure asphalt.
  - Estimated costs for road mix production range from \$10 to \$15 per ton.
  - Current RCRA regulations prohibit application of RCRA Hazardous Wastes to land. However, this alternative should be further evaluated, as part of the Remedial Action Plan/Closure Plan.
- **Fuel Blending:**
  - Dilution of the Oil Pit material (primarily coal tar) with 30 percent diesel or kerosene produced a pumpable material which could be used as a fuel for industrial furnaces or cement kilns.
  - The fuel value of the Oil Pit material was approximately 14,000 BTUs/lb. The BTU value for the diluted coal tar as a fuel was 11,000 BTUs/lb.
  - Costs are in the range of \$20 to \$30 per ton.
- **Coal Tar Redistillation/Recycling:**
  - Fractionation/distillation of the composite pit materials (oil, sludge and paraffin) recovered 80 to 85 percent of the hydrocarbon materials.
  - Fractions collected appear to be marginally acceptable as raw materials for fuels and roof material.
  - Costs are in the range of \$30 to \$60 per ton.

Based on the limited information available, the most cost-effective alternative appears to be the use of the paraffin and sludge materials in fuel blending.

### 3.0 REMEDIAL ACTION PLAN/CLOSURE PLAN DEVELOPMENT

#### 1. A Remedial Action Plan/Closure Plan must be developed to address the following issues:

- Remedial actions necessary to treat the pit materials:
  - The need to treat the pit materials will be based on the site hypothesis, the risks presented by the wastes and the potential impacts to ground water.
  - Alternatives which minimize treatment will be evaluated as part of this task, based on the site hypothesis and the ground water conditions.

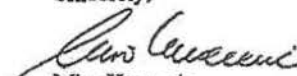
**TRC Environmental  
Solutions Inc.**

Mr. Louis Smalhall  
May 28, 1996  
Page 4

- Remedial actions for ground water and free phase product removal:
  - Based on the current data, free product removal is expected to be required, but is not expected to be a costly task.
  - Intrinsic biodegradation will be considered as the primary ground water remedial alternative, given the current regulatory climate and the recent study by the Lawrence Livermore Laboratory on the fate of hydrocarbons in soils and ground water, which strongly indicates that pump and treat options are unnecessary and ineffective for dissolved phase hydrocarbons.
- Site closure activities:
  - Based on the activities indicated above, an overall site Closure Plan must be developed to reflect the type of treatment required for the pit materials and the type of capping required (if necessary) based on the remedial actions, and the level of protection required.
- Remedial action/closure costs and schedule:
  - As part of the Remedial Action Plan/Closure Plan, a detailed cost estimate would be developed. This will include areas where cost growth could be significant.
  - Based on the plan, an optimum schedule would be developed and presented. This schedule would reflect the best use of capital resources and Remedial Action Plan cash flow considerations.
  - Preliminary cost estimates to complete the remedial actions and the closure range from \$650,000 to \$950,000 based on the limited amount of data available. These costs may change significantly depending on the Final Closure Plan accepted by the agencies, and the results of additional site and ground water investigation activities. These costs do not include long-term operations and maintenance activities.
  - Remedial Action Plan/Closure Plan costs range from \$38,000 to \$56,000.

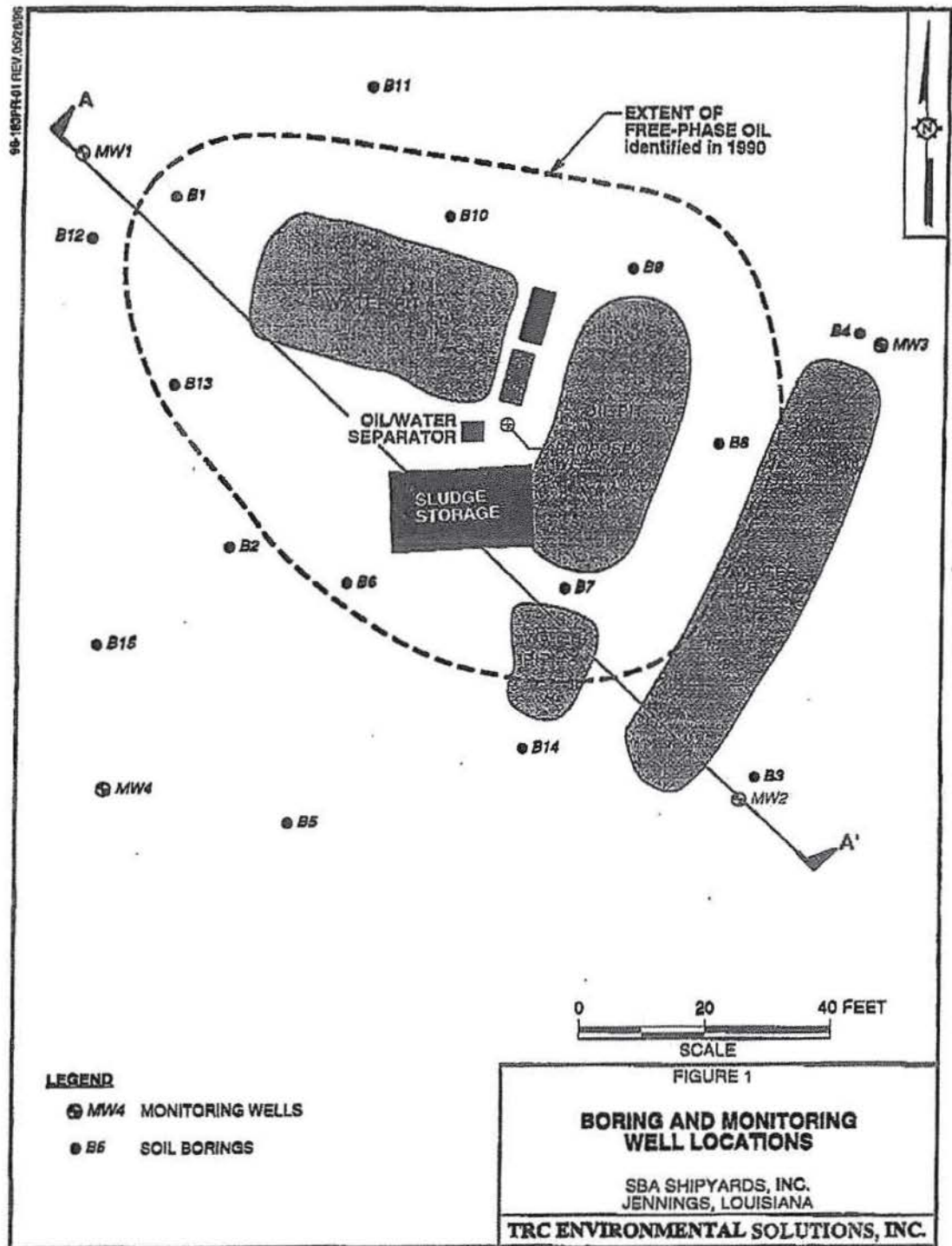
TRC Environmental Solutions, Inc. appreciates this opportunity to be of service to SBA Shipyards, Inc. Please call us should you have any questions or wish to discuss the information provided herein.

Sincerely,

  
Miro Knezevic  
Executive Vice President

MK/DD:pm  
Enclosure

cc: SBA Shipyards, Inc. Customers



Schwab & Walter  
Attorneys at Law

John Schwab  
Gerald L. Walter, Jr.

William E. Hodgkins  
Anne Jordan Crochet  
John F. Derenbecker  
J. Lee Alcock, Jr.  
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10636 Linkwood Court  
Baton Rouge, Louisiana 70810-2854  
Telephone (504) 767-1460  
Fax (504) 769-0010

April 26, 1996

Robert E. Holden  
LISKOW & LEWIS  
701 Poydras St., Ste. 5000  
New Orleans, LA 70139

RE: Follow Up to Request for Voluntary Funding and Results From  
Subsurface Investigation  
SBA Shipyards, Inc.

Dear Mr. Holden:

As previously indicated, SBA Shipyards, Inc. ("SBA") had made arrangements to perform a preliminary subsurface investigation to verify their suspicions that a free-phase hydrocarbon layer is present in the subsurface stratum between the bottom of the surface impoundments and the upper surface of the water table. A report containing the results of this investigation is attached for your review.

If you should have any questions regarding the foregoing, please do not hesitate to contact the undersigned, or J. Mike DiGiglia of our office, at your convenience.

Sincerely,

SCHWAB & WALTER

  
William E. Hodgkins

WEH/mr  
Enclosure:

Subsurface Sampling Investigation  
by Jesco Environmental & Geotechnical Services, Inc.



**Environmental & Geotechnical Services, Inc.**

Mr. Mike Di Giglia  
Schwab and Walters  
10636 Linkwood Court  
Baton Rouge, LA 70810-2854

Re: Subsurface Sampling Investigation  
SBA Shipyards  
Jennings, Louisiana

Dear Mr. Di Giglia:

On March 28, 1996 Jesco Environmental and Geotechnical Services, Inc. (Jesco) conducted two soil borings (A and B) in the areas outlined in your March 20, 1996 fax.

The two soil borings were conducted utilizing direct push technology. Discreet soil samples were obtained throughout the entire depth of the borehole. These samples were logged and head space analysis was conducted on each sample using a photo ionization detector.

When the first unconfined aquifer was reached soil sampling was discontinued. The borings were then over drilled using a trailer mounted drilling rig. Two 2 inch diameter temporary wells were then set and allowed to recharge. Water samples were then collected from the temporary wells utilizing disposable polyethylene bailers. The water samples were submitted to the laboratory following the proper chain of custody procedures and analyzed for Volatiles (EPA Method 624), Semi-Volatiles (EPA Method 625) and Total Metals (EPA Methods 200.7, 206.3, 245.1 and 270.3). After sample collection, the wells were removed and the boreholes were plugged and abandoned.

Field observations indicated the presence of NAPL in both soils and groundwater. Headspace analysis also indicated the presence of volatile organic compounds. These observations are noted on the soil boring logs. Laboratory analysis indicated the presence of both volatile and semivolatile compounds in both of the groundwater samples collected. Phenolic compounds were also detected in Sample A. Although no background sample was collected and analyzed for comparison purposes, Total Metal concentrations for these samples do not appear to be of environmental concern.

Please find enclosed the laboratory data, chain of custody, soil boring logs and a field map indicating the locations where the samples were collected.

Jesco appreciates the opportunity to provide our services to your company. If we can be of further assistance please contact our office at (318)-824-9074.

Sincerely,

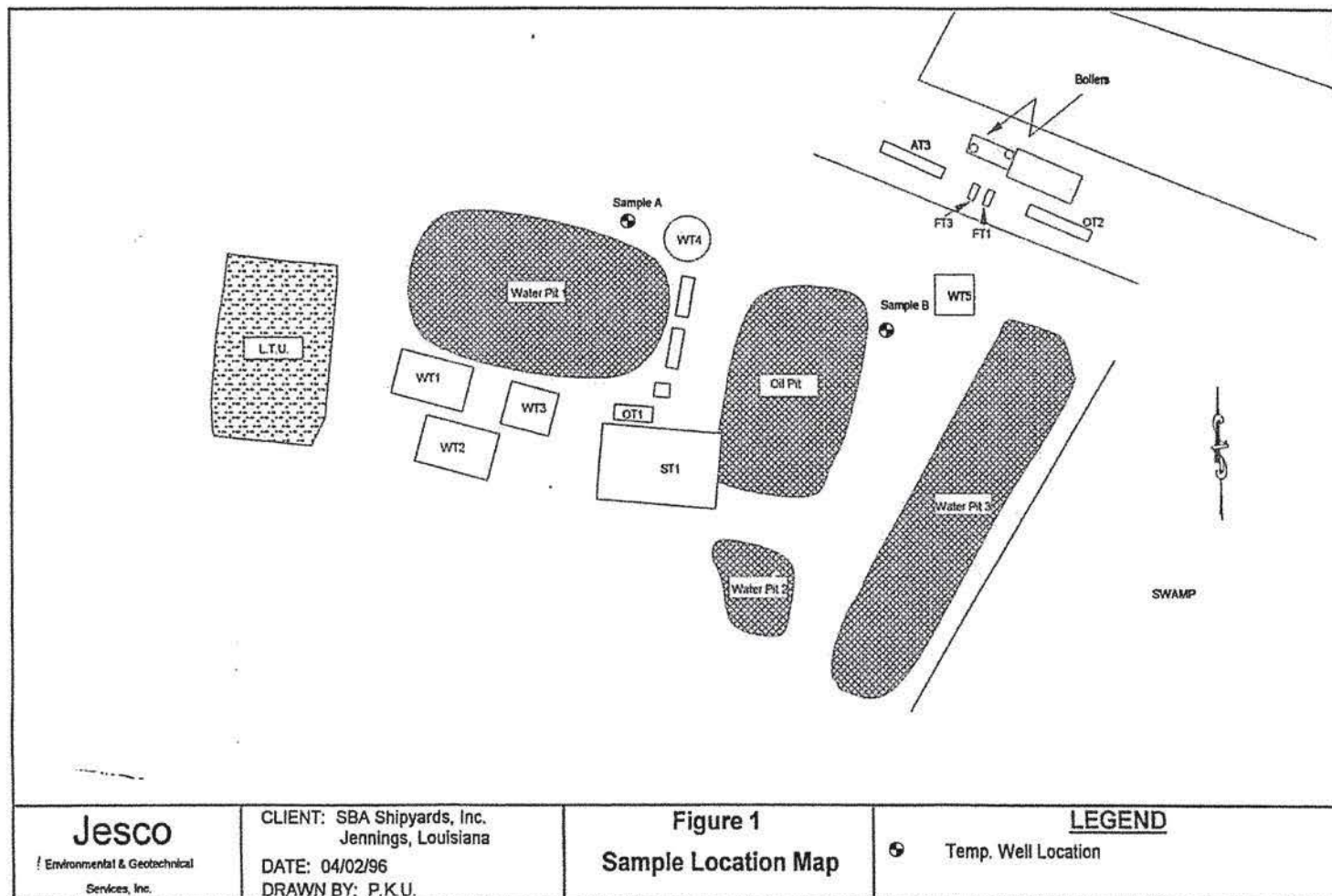
Alvinette Teal, P.G.

cc: Mr. Louis Smaihall, SBA Shipyards, Inc.

719 North Main • P.O. Box 1324 • Jennings, Louisiana 70546  
Office (318) 824-9074 • Fax (318) 824-9076

<b>Jesco</b> Environmental & Geotechnical Services, Inc.					<b>Soil Boring Log</b>	
Project Name: SBA Shipyards, Inc.					Date: 03/28/1996	
Project# 153			Borehole# A		Drill Method: DPT	
Boring Location: Jennings, LA			Depth: 14 ft		Geologist: A. Teal	
Surface Elevation: N/A			Diameter: 1.125"		Driller: W. Schexnider	
Depth(ft)	Symbol	samples	Penetrometer	PID Reading	Material Description	Remarks
—			<0.5	30	2.5 YR 2.5/1 Reddish black sandy silt	Brittle, Noncohesive, mild hydrocarbon odor
2			1.25	7	10 YR 7/2 Lt. gray clay with ferric inclusions	Plastic, cohesive, moist, slight hydrocarbon odor
4			0.5	78	10 YR 7/2 Lt. gray silty clay with ferric inclusions	Plastic, cohesive, moist, slight hydrocarbon odor
6			0.5	54	10 YR 7/2 Lt. gray silty clay with ferric inclusions	Plastic, cohesive, moist, slight hydrocarbon odor
8			0.5	197	10 YR 3/3 Dark brown sandy silt	Hydrocarbon stained, strong Hydrocarbon odor, saturated with NAPL, cohesive, nonplastic
10			<0.5	373	10 YR 3/3 Dark brown sandy silt	Hydrocarbon stained, strong Hydrocarbon odor, saturated with NAPL, cohesive, nonplastic
12			<0.5	373	10 YR 3/3 Dark brown sandy silt	Hydrocarbon stained, strong Hydrocarbon odor, saturated with NAPL, cohesive, nonplastic
14					Borehole terminated.	
16						
Remarks:						

<b>Jesco</b> Environmental & Geotechnical Services, Inc.					<b>Soil Boring Log</b>	
Project Name: SBA Shipyards, Inc.					Date: 03/28/1996	
Project# 153			Borehole# B		Drill Method: DPT	
Boring Location: Jennings, LA			Depth: 14 ft		Geologist: A. Teal	
Surface Elevation: N/A			Diameter: 1.125"		Driller: W. Schexnider	
Depth (ft)	Symbol	samples	Penetrometer	PID Reading	Material Description	Remarks
2			1.5	116	2.5 YR 2.5/1 Reddish black clay	Brittle, Noncohesive, strong hydrocarbon odor
4			0.5	92	10 YR 6/2 Lt. brownish gray silty clay	Nonplastic, cohesive, strong hydrocarbon odor
6			1.5	140	10 YR 6/2 Lt. brownish gray silty clay	Plastic, cohesive, moist, strong hydrocarbon odor
8			<0.5	183	10 YR 7/2 Lt. brownish gray silty clay	Plastic, cohesive, moist, strong hydrocarbon odor
10			<0.5	221	10 YR 7/2 Lt. brownish gray clayey silt	Strong Hydrocarbon odor, saturated with NAPL, cohesive, plastic
12			<0.5	107	10 YR 7/2 Lt. brownish gray sandy clay	Strong Hydrocarbon odor, saturated with NAPL, cohesive, plastic
14			<0.5	192	10 YR 7/2 Lt. brownish gray sand	Strong Hydrocarbon odor, saturated with NAPL, cohesive, plastic, wet
16					Borehole terminated.	
Remarks:						





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Page 1

SHERRY LABS LA

TEST REPORT

Work Order # 96-03-606

Received: 03/29/96

04/16/96 11:35:29

ATTN ALVINETTE TEAL  
REPORT JESCO ENV & GEO SERVICES INC  
TO P O BOX 1324  
JENNINGS LA 70546-1324

CERTIFIED BY *RL*

CONTACT JERRY

PREPARED SHERRY LABORATORIES LOUISIANA  
BY P O BOX 81816  
316 MECCA DRIVE  
LAFAYETTE LA 70598-1816  
ATTN ENVIRONMENTAL LABORATORY  
PHONE (318) 235-0483

CLIENT JESCO ENV SAMPLES 2  
COMPANY JESCO ENV & GEO SERVICES INC  
FACILITY \_\_\_\_\_  
BEEPER - 821-0588

JERRY LANDRY LAURA JANKOWER  
VICE-PRESIDENT/LAB MANAGER QUALITY ASSURANCE MANAGER

WORK ID SBA - PROJECT #153  
TAKEN 3/28/96 BY W. SCHEXNIDER  
TRANS HAND DELIVERED  
TYPE WATER  
P.O. # \_\_\_\_\_  
INVOICE under separate cover

**SAMPLE IDENTIFICATION**

01 SBA - SAMPLE A  
02 SBA - SAMPLE B

**TEST CODES and NAMES used on this workorder**

8240 VOA'S - METHOD 8240 LIST  
ACEXT ACID EXTRACTABLES-GC/MS  
AG SILVER  
AS ARSENIC  
BA BARIUM  
BEXT B/N EXTRACTABLES-GC/MS  
CD CADMIUM  
CR CHROMIUM  
HG MERCURY  
PB LEAD  
SE SELENIUM  
ZN ZINC

TOTAL PAGES OF THIS REPORT : 9  
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Page 2

LAB I.D. 9603606-01A

DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE A

DATE COLLECTED: 03/28/96 11:30



LABORATORY REPRESENTATIVE  
SHERRY LABORATORIES LA

<u>ANALYTE</u>	<u>ANALYST</u> <u>INITIALS</u>	<u>DATE</u> <u>ANALYZED</u>	<u>REFERENCE</u> <u>METHOD</u>	<u>DETECTION</u> <u>LIMIT</u>	<u>CONCENTRATION</u> <u>PPM</u>
SILVER	TS	04/03/96	EPA 200.7	0.007 ppm	BDL
ARSENIC	TS	04/03/96	EPA 205.3	0.0004 ppm	0.0606
BARIUM	TS	04/03/96	EPA 200.7	0.004 ppm	2.33
CADMIUM	TS	04/03/96	EPA 200.7	0.005 ppm	BDL
CHROMIUM	TS	04/03/96	EPA 200.7	0.007 ppm	0.017
MERCURY	TS	04/10/96	EPA 245.1	0.00002 ppm	0.00018
LEAD	TS	04/03/96	EPA 200.7	0.050 ppm	BDL
SELENIUM	TS	04/03/96	EPA 270.3	0.00004 ppm	0.00062
ZINC	TS	04/03/96	EPA 200.7	0.002 ppm	0.599



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LAB I.D. 9603606-01A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE A  
DATE COLLECTED: 03/28/96 11:30

*Jimmy Landry*  
Laboratory Representative

DATE EXTRACTED 04/05/96 DATE INJECTED 04/11/96 ANALYST GMC METHOD KPA 625

COMPOUND	RESULT	COMPOUND	RESULT
benzoic acid	ND	2-nitrophenol	ND
2-chlorophenol	ND	4-nitrophenol	ND
2,4-dichlorophenol	ND	p-chloro-m-cresol	ND
2,4-dimethylphenol	ND	pentachlorophenol	ND
2,4-dinitrophenol	ND *	phenol	0.47
2-methyl-4,6-dinitro-phenol	ND **	tetrachlorophenol	ND
2-methyl phenol	0.36	2,4,5-trichlorophenol	ND
4-methyl phenol	0.23	2,4,6-trichlorophenol	ND

All results reported in ppm unless otherwise specified.

ND = not detected at 0.20 ppm  
ND\* = not detected at 0.40 ppm  
ND\*\* = not detected at 1.0 ppm

**SURROGATE RECOVERIES (%)**

PHENOL-D5 ND  
2-FLUOROPHENOL ND  
2,4,6-TRIBROMOPHENOL ND



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LAB I.D. 9603606-01A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE A

DATE COLLECTED: 03/28/96 11:30

*James Sherry*  
Laboratory Representative

ANALYST CMC Data Extracted: 04/05/96 Date Analyzed: 04/11/96 Method: EPA 625

COMPOUND	RESULT	COMPOUND	RESULT	COMPOUND	RESULT
acenaphthene	<u>0.51</u>	4-chlorophenyl phenyl ether	<u>ND</u>	hexachlorocyclopentadiene	<u>ND</u>
acenaphthylene	<u>ND</u>	chrysene	<u>ND</u>	hexachloroethane	<u>ND</u>
aniline	<u>ND</u>	dibenzo (a,h) anthracene	<u>ND*</u>	indeno (1,2,3-cd) pyrene	<u>ND*</u>
anthracene	<u>1.6</u>	dibenzofuran	<u>0.48</u>	isophorone	<u>ND</u>
benzidine	<u>ND</u>	1,2 dichlorobenzene	<u>ND</u>	2-methylnaphthalene	<u>0.69</u>
benzo (a) anthracene	<u>0.37</u>	1,3 dichlorobenzene	<u>ND</u>	naphthalene	<u>5.1</u>
benzo (a) pyrene	<u>ND</u>	1,4 dichlorobenzene	<u>ND</u>	2-nitroaniline	<u>ND</u>
benzo (b) fluoranthene	<u>ND</u>	3,3 dichlorobenzidine	<u>ND</u>	3-nitroaniline	<u>ND</u>
benzo (ghi) perylene	<u>ND*</u>	diethyl phthalate	<u>ND</u>	4-nitroaniline	<u>ND</u>
benzo (k) fluoranthene	<u>ND</u>	dimethyl phthalate	<u>ND</u>	nitrobenzene	<u>ND</u>
benzyl alcohol	<u>ND</u>	di-n-butyl phthalate	<u>ND</u>	N-nitrosodimethylamine	<u>ND</u>
benzylbutyl phthalate	<u>ND</u>	dinitrobenzene	<u>ND</u>	N-nitrosodiphenylamine	<u>ND</u>
bis (2-chlorethoxy)methane	<u>ND</u>	2,4-dinitrotoluene	<u>ND</u>	N-nitrosodipropylamine	<u>ND</u>
bis (2-chloroethyl)ether	<u>ND</u>	2,6-dinitrotoluene	<u>ND</u>	phenanthrene	<u>ND</u>
bis (2-chloroisopropyl) ether	<u>ND</u>	di-n-octyl phthalate	<u>ND</u>	2-picoline	<u>ND**</u>
bis (2-ethylhexyl) phthalate	<u>ND</u>	1,2-diphenylhydrazine	<u>ND</u>	pyrene	<u>0.61</u>
4-bromophenyl phenyl ether	<u>ND</u>	fluoranthene	<u>0.83</u>	pyridine	<u>ND**</u>
carbazole	<u>ND</u>	fluorene	<u>0.71</u>	tetrachlorobenzene (s)	<u>ND</u>
4-chloroaniline	<u>ND</u>	hexachlorobenzene	<u>ND</u>	toluendiamine	<u>ND</u>
2-chloronaphthalene	<u>ND</u>	hexachlorobutadiene	<u>ND</u>	1,2,4 trichlorobenzene	<u>ND</u>

SURROGATE RECOVERIES (%)

2-fluorobiphenyl ND  
nitrobenzene-d5 ND  
terphenyl-d14 ND

All results reported in ppm unless otherwise specified.

ND = not detected at detection limit 0.20 ppm  
ND \* = not detected at detection limit 0.40 ppm  
ND \*\* = not detected at detection limit 1.0 ppm



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LAB I.D. 9603606-01A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION HBA - SAMPLE A

DATE COLLECTED: 03/28/96 11:30

*James Landrum*  
LABORATORY REPRESENTATIVE

ANALYST CNC Date Analyzed: 04/04/96 Method EPA 624

COMPOUND	RESULT	COMPOUND	RESULT	COMPOUND	RESULT
acetone	<u>BDL</u>	chloromethane	<u>BDL</u>	paraldehyde	<u>BDL</u>
acrolein	<u>BDL</u>	dichlorodifluoromethane	<u>BDL</u>	styrene	<u>BDL</u>
acrylonitrile	<u>BDL</u>	1,1-dichloroethane	<u>BDL</u>	1,1,2,2-tetrachloroethane	<u>BDL</u>
benzene	<u>1.5</u>	1,2-dichloroethane	<u>BDL</u>	tetrachloroethylene	<u>BDL</u>
bis (chloromethyl) ether	<u>BDL</u>	1,1-dichloroethylene	<u>BDL</u>	toluene	<u>1.3</u>
bromodichloromethane	<u>BDL</u>	1,2-trans-dichloroethylene	<u>BDL</u>	1,1,1-trichloroethane	<u>BDL</u>
bromoform	<u>BDL</u>	1,2-dichloropropane	<u>BDL</u>	1,1,2-trichloroethane	<u>BDL</u>
bromomethane	<u>BDL</u>	cis-1,3-dichloropropylene	<u>BDL</u>	trichloroethylene	<u>BDL</u>
carbon disulfide	<u>BDL</u>	trans-1,3-dichloropropylene	<u>BDL</u>	vinyl acetate	<u>BDL</u>
carbon tetrachloride	<u>BDL</u>	ethylbenzene	<u>BDL</u>	vinyl chloride	<u>BDL</u>
chlorobenzene	<u>BDL</u>	fluorotrichloromethane	<u>BDL</u>	o-xylene	
chlorodibromomethane	<u>BDL</u>	2-hexanone	<u>BDL</u>	m-xylene TOTAL	<u>1.9</u>
chloroethane	<u>BDL</u>	methylene chloride	<u>1.4</u>	p-xylene	
2-chloroethylvinyl ether	<u>BDL</u>	methyl-isobutyl-ketone	<u>BDL</u>	1,2 dichlorobenzene	<u>BDL</u>
chloroform	<u>BDL</u>	methyl-ethyl-ketone	<u>BDL</u>	1,3 dichlorobenzene	<u>BDL</u>
				methyl methacrylate	<u>BDL</u>

All results reported in ppm unless otherwise specified.  
ND = not detected at detection limit 1.0 ppm

ND\*\* = not detected at 50 ppb  
ND\* = not detected at 100 ppb

SURROGATE RECOVERIES	(%)
1,2 DICHLOROETHANE-D4	<u>107</u>
TOLUENE-D8	<u>100</u>
BROMOFLUOROBENZENE	<u>92</u>



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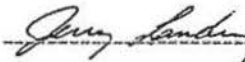
Page 6

LAB I.D. 9603606-02A

DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

  
LABORATORY REPRESENTATIVE  
SHERRY LABORATORIES LA

<u>ANALYTE</u>	<u>ANALYST</u> <u>INITIALS</u>	<u>DATE</u> <u>ANALYZED</u>	<u>REFERENCE</u> <u>METHOD</u>	<u>DETECTION</u> <u>LIMIT</u>	<u>CONCENTRATION</u> <u>PPM</u>
SILVER	TS	04/03/96	EPA 200.7	0.007 ppm	BDL
ARSENIC	TS	04/03/96	EPA 206.3	0.0004 ppm	0.0152
BARIUM	TS	04/03/96	EPA 200.7	0.004 ppm	1.88
CADMIUM	TS	04/03/96	EPA 200.7	0.005 ppm	BDL
CHROMIUM	TS	04/03/96	EPA 200.7	0.007 ppm	0.015
MERCURY	TS	04/10/96	EPA 245.1	0.00002 ppm	0.00010
LEAD	TS	04/03/96	EPA 200.7	0.050 ppm	BDL
SELENIUM	TS	04/03/96	EPA 270.3	0.00004 ppm	0.00034
ZINC	TS	04/03/96	EPA 200.7	0.002 ppm	0.263

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LAB I.D. 9603606-02A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SEA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

*James Sherry*  
Laboratory Representative

DATE EXTRACTED 04/05/96 DATE INJECTED 04/11/96 ANALYST QMC METHOD EPA 625

COMPOUND	RESULT	COMPOUND	RESULT
benzoic acid	<u>ND</u>	2-nitrophenol	<u>ND</u>
2-chlorophenol	<u>ND</u>	4-nitrophenol	<u>ND</u>
2,4-dichlorophenol	<u>ND</u>	p-chloro-m-cresol	<u>ND</u>
2,4-dimethylphenol	<u>ND</u>	pentachlorophenol	<u>ND</u>
2,4-dinitrophenol	<u>ND *</u>	phenol	<u>ND</u>
2-methyl-4,6-dinitro-phenol	<u>ND **</u>	tetrachlorophenol	<u>ND</u>
2-methyl phenol	<u>ND</u>	2,4,5-trichlorophenol	<u>ND</u>
4-methyl phenol	<u>ND</u>	2,4,6-trichlorophenol	<u>ND</u>

All results reported in ppm unless otherwise specified.

ND = not detected at 50 ppm  
ND\* = not detected at 100 ppm  
ND\*\* = not detected at 200 ppm

**SURROGATE RECOVERIES (%)**

PHENOL-D5 ND  
2-FLUOROPHENOL ND  
2,4,6-TRIBROMOPHENOL ND



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LAB I.D. 9603506-02A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

*James Lindley*  
Laboratory Representative

ANALYST CMC Date Extracted: 04/05/96 Date Analyzed: 04/11/96 Method: EPA 625

COMPOUND	RESULT	COMPOUND	RESULT	COMPOUND	RESULT
acenaphthene	150	4-chlorophenyl phenyl ether	ND	hexachlorocyclopentadiene	ND
acenaphthylene	ND	chrysene	ND	hexachloroethane	ND
aniline	ND	dibenzo (a,h) anthracene	ND*	indeno (1,2,3-cd) pyrene	ND*
anthracene	550	dibenzofuran	120	isophorone	ND
benzidine	ND	1,2 dichlorobenzene	ND	2-methylnaphthalene	150
benzo (a) anthracene	ND	1,3 dichlorobenzene	ND	naphthalene	810
benzo (a) pyrene	ND	1,4 dichlorobenzene	ND	2-nitroaniline	ND
benzo (b) fluoranthene	ND	3,3 dichlorobenzidine	ND	3-nitroaniline	ND
benzo (ghi) perylene	ND*	diethyl phthalate	ND	4-nitroaniline	ND
benzo (k) fluoranthene	ND	dimethyl phthalate	ND	nitrobenzene	ND
benzyl alcohol	ND	di-n-butyl phthalate	ND	N-nitrosodimethylamine	ND
benzylbutyl phthalate	ND	dinitrobenzene	ND	N-nitrosodiphenylamine	ND
bis (2-chloroethoxy)methane	ND	2,4-dinitrotoluene	ND	N-nitrosodipropylamine	ND
bis (2-chloroethyl)ether	ND	2,6-dinitrotoluene	ND	phenanthrene	ND
bis (2-chloroisopropyl) ether	ND	di-n-octyl phthalate	ND	2-picoline	ND**
bis (2-ethylhexyl) phthalate	ND	1,2-diphenylhydrazine	ND	pyrene	220
4-bromophenyl phenyl ether	ND	fluoranthene	280	pyridine	ND**
carbazole	ND	fluorene	180	tetrachlorobenzene (*)	ND
4-chloroaniline	ND	hexachlorobenzene	ND	toluendiamine	ND
2-chloronaphthalene	ND	hexachlorobutadiene	ND	1,2,4 trichlorobenzene	ND

SURROGATE RECOVERIES (%)

2-fluorobiphenyl ND  
nitrobenzene-d5 ND  
terphenyl-d14 ND

All results reported in ppm unless otherwise specified.

ND = not detected at detection limit 50 ppm  
ND \* = not detected at detection limit 100 ppm  
ND \*\* = not detected at detection limit 200 ppm



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LAB I.D. 9603606-02A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION RAA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

*James Landry*  
LABORATORY REPRESENTATIVE

ANALYST SWC Date Analyzed: 04/04/96 Method EPA 624

COMPOUND	RESULT	COMPOUND	RESULT	COMPOUND	RESULT
acetone	<u>BDL</u>	chloromethane	<u>BDL</u>	paraaldehyde	<u>BDL</u>
acrolein	<u>BDL</u>	dichlorodifluoromethane	<u>BDL</u>	styrene	<u>BDL</u>
acrylonitrile	<u>BDL</u>	1,1-dichloroethane	<u>BDL</u>	1,1,2,2-tetrachloroethane	<u>BDL</u>
benzene	<u>2.7</u>	1,2-dichloroethane	<u>BDL</u>	tetrachloroethylene	<u>4.1</u>
bis (chloromethyl) ether	<u>BDL</u>	1,1-dichloroethylene	<u>BDL</u>	toluene	<u>2.9</u>
bromodichloromethane	<u>BDL</u>	1,2-trans-dichloroethylene	<u>BDL</u>	1,1,1-trichloroethane	<u>BDL</u>
bromoform	<u>BDL</u>	1,2-dichloropropane	<u>BDL</u>	1,1,2-trichloroethane	<u>BDL</u>
bromomethane	<u>BDL</u>	cis-1,3-dichloropropylene	<u>BDL</u>	trichloroethylene	<u>BDL</u>
carbon disulfide	<u>BDL</u>	trans-1,3-dichloropropylene	<u>BDL</u>	vinyl acetate	<u>BDL</u>
carbon tetrachloride	<u>BDL</u>	ethylbenzene	<u>1.7</u>	vinyl chloride	<u>BDL</u>
chlorobenzene	<u>BDL</u>	fluorotrichloromethane	<u>BDL</u>	o-xylene	
chlorodibromomethane	<u>BDL</u>	2-hexanone	<u>BDL</u>	m-xylene TOTAL	<u>7.7</u>
chloroethane	<u>BDL</u>	methylene chloride	<u>BDL</u>	p-xylene	
2-chloroethylvinyl ether	<u>BDL</u>	methyl-isobutyl-ketone	<u>BDL</u>	1,2 dichlorobenzene	<u>BDL</u>
chloroform	<u>BDL</u>	methyl-ethyl-ketone	<u>BDL</u>	1,3 dichlorobenzene	<u>BDL</u>
				methyl methacrylate	<u>BDL</u>

All results reported in ppm unless otherwise specified.  
ND = not detected at detection limit 1.0 ppm

ND\*\* = not detected at 50 ppb  
ND\* = not detected at 100 ppb

SURROGATE RECOVERIES	(%)
1,2 DICHLOROETHANE-D4	<u>106</u>
TOLUENE-D8	<u>102</u>
BROMOFLUOROBENZENE	<u>97</u>

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 Fax 812-375-0731

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 219-471-7000  
 Fax 219-471-7777

☐ 2203 S. Madison St.  
**MUNCIE IN 47302**  
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 Fax 317-747-0228

☐ 316 Mecca Dr.  
**LAFAYETTE LA 70508**  
 318-235-0483/800-737-2378  
 Fax 318-233-6540

☐ 10835 E. Independence, Suite 102  
**TULSA OK 74116**  
 .918-234-7111/800-324-5757  
 Fax 918-234-7152

Page 1 of 1

## Chain of Custody Record

Laboratory Number 603606

Client Name: <u>Jesco.</u>		Project Name: <u>SBA</u>		Preservative	Number/ Type of Container	Matrix Code	Tests Requested				Comments/ Remarks	
Contact Name: <u>S. Teal</u>		Project #: <u>153</u>					<div style="display: flex; justify-content: space-between;"> <div>Volatiles</div> <div>Semi-Volatiles</div> <div>T. Metals</div> </div>					
Phone/Fax: <u>824-4074/824-4076</u>		Sampler's Signature: <u>[Signature]</u>										
Collection Date	Time	Grab	Comp	Sample Identification/Description								
<u>2/28/96</u>	<u>11:30 AM</u>	<u>X</u>		<u>Sample A</u>		<u>HNO<sub>3</sub></u>	<u>1</u>	<u>P</u>	<u>MW</u>	<u>X</u>		
				<u>Sample A</u>		<u>-</u>	<u>1</u>	<u>G</u>	<u>MW</u>	<u>X</u>		
				<u>Sample A</u>		<u>-</u>	<u>2</u>	<u>G</u>	<u>MW</u>	<u>X</u>		
<u>3/28/96</u>	<u>12:45 PM</u>	<u>X</u>		<u>Sample B</u>		<u>HNO<sub>3</sub></u>	<u>1</u>	<u>P</u>	<u>MW</u>	<u>X</u>		
				<u>Sample B</u>		<u>-</u>	<u>1</u>	<u>G</u>	<u>MW</u>	<u>X</u>		
				<u>Sample B</u>		<u>-</u>	<u>2</u>	<u>G</u>	<u>MW</u>	<u>X</u>		

UPS/FedEx  
Airborne/Sherry  
Hand Mail

All samples submitted to Sherry Laboratories for analysis are accepted on a custodial basis only. Ownership of the material remains with the client submitting the samples. Sherry Laboratories reserves the right to return unused sample portions.

P.O. Number

Relinquished by: (Signature) <u>[Signature]</u>	Received by: (Signature) _____	Date <u>3-29-96</u>	Time <u>11:15 AM</u>	Relinquished by: (Signature) _____	Received by: (Signature) _____	Date _____	Time _____
Relinquished by: (Signature) _____	Received by: (Signature) _____	Date _____	Time _____	Relinquished by: (Signature) _____	Received by: (Signature) <u>[Signature]</u>	Date <u>3/29/96</u>	Time <u>11:15</u>

Matrix Codes DW = Drinking Water    MW = Monitoring Well WW = Waste Water    W = Water    SL = Sludge SO = Soil    O = Oil    OT = Other	Container Types G = Glass P = Plastic	Shipping Conditions <input type="checkbox"/> Iced <input type="checkbox"/> Ambient	Which Regulations Apply <input type="checkbox"/> RCRA <input type="checkbox"/> Drinking Water <input type="checkbox"/> NPDES <input type="checkbox"/> POTW <input type="checkbox"/> Other	Thank-you for using SHERRY LABORATORIES The Source for Metallurgical, Materials, & Environmental Testing Services
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Jones, Walker, Waechter, Poitevent, Carrere & Denegre, L.L.P.  
Place St. Charles  
201 St. Charles Avenue  
New Orleans, Louisiana 70170-5100  
Telephone: 504-582-8000  
Fax: 504-582-8583

Baton Rouge Office  
Suite 1700  
One American Place  
Baton Rouge, Louisiana 70825  
Telephone: 504-346-5500  
Fax: 504-346-5517

Washington, D.C. Office  
Suite 245  
Republic Place  
1776 Eye Street, N.W.  
Washington, D.C. 20006  
Telephone: 202-628-8363  
Fax: 202-628-6907

Lafayette Office  
Suite 210  
201 Rue Iberville  
Lafayette, Louisiana 70508  
Telephone: 318-232-5353  
Fax: 318-232-5415

TELECOPY COVER SHEET  
PLEASE DELIVER THE FOLLOWING PAGES:

TO: William Morelli  
FROM: M. Chernekoff  
DATE: 6-6-96

TOTAL NUMBER OF PAGES, INCLUDING THIS COVER PAGE: 3

TELECOPIER NO.: (615) 298-8212  
Local ( ) Long Distance (✓)  
CONFIRMATION NO.: \_\_\_\_\_

SPECIAL INSTRUCTIONS: \_\_\_\_\_

If you do not receive the entire copy, please call Karen at  
(504) 582- 8103 as soon as possible.

This facsimile communication contains information that is intended only for the recipient named and may be confidential and subject to the attorney-client privilege. If you are not the intended recipient or an agent responsible for delivering this communication to the intended recipient, you are hereby notified that you have received this facsimile in error and that any review, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone (call collect at 504-582-8000) and return the original facsimile to us by mail, without retaining any copies. Thank you.

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CARRÈRE & DENÈGRE, L.L.P.

MICHAEL A. CHERNEKOFF  
504-582-8264  
FAX 504-582-8583

PLACE ST. CHARLES  
201 ST. CHARLES AVENUE  
NEW ORLEANS, LOUISIANA 70170-5100

June 6, 1996

William Hodgkins, Esq.  
Schwab & Walter  
10636 Linkwood Court  
Baton Rouge, LA 70810-2854

Re: National Marine/SBA Shipyards  
Our File: 02558/66885-00

Dear Bill:

Thank you for your fax of June 5, 1996 soliciting comments regarding suggested contractors. It was my understanding from the meeting on May 29 that Mr. Smailhall had authorized TRC at SBA's expense to move forward with the work plan, which TRC estimated costing between \$38,000 and \$58,000, including the cost of additional data generation. It is our position that the logical next step for SBA is generating the additional data and developing a work plan for submission to EPA. Choosing a contractor to perform closure and remedial activities before a work plan is prepared and approved may be premature.

Again, we support SBA's efforts to move forward with additional data generation and development of a work plan for submission to EPA. While we do not wish participate directly in the contracting process, we would like to be kept advised of SBA's progress and would request permission to be able to discuss the status of ongoing investigative work directly with your chosen contractor.

With kindest regards, I am

Very truly yours,

  
Michael A. Chernekoff

MAC:kd

BATON ROUGE OFFICE: FOUR UNITED PLAZA • 8555 UNITED PLAZA BOULEVARD • BATON ROUGE, LOUISIANA 70809-7000 • 504-251-2000 • FAX 504-231-2010  
WASHINGTON, D.C. OFFICE: SUITE 245, REPUBLIC PLACE • 1776 RYE STREET, N.W. • WASHINGTON, D.C. 20006 • 202-828-4363 • FAX 202-828-6907  
LAFAYETTE OFFICE: SUITE 210 • 201 RUE DEBAYLLE • LAFAYETTE, LOUISIANA 70508 • 337-232-5353 • FAX 337-232-5415

ENV\28580.1

ING 00861

cc: (via telecopier)  
Bryan Domning/F. William Mahley (713) 651-1944  
Vince Barto (606) 329-4412  
Bob Holden (w/encl.) (504) 556-4108  
William Morelli (615) 298-8213  
W. Bruce Law (804) 545-5692  
Preston Shuford (409) 883-5661  
Duke Gremillion (318) 774-3503  
Mary Shaddock Jones (713) 868-6422  
Don Finochhi (305) 753-6603  
Bob Johnson (954) 753-6603  
Benny Cenac, Jr. (504) 851-1761  
Roger Beaudean (504) 384-4240  
Rich Childers (504) 832-8625  
Ed O'Connell (412) 227-2042  
Thomas Haines (215) 977-6878  
Scott Martin (713) 461-7319

ENV\28580.1

ING 00862

REDACTED

M E M O R A N D U M

TO: TO WHOM IT MAY CONCERN  
FROM: William E. Hodgkins  
DATE: September 27, 1996  
RE: SBA Shipyards, Inc.

OCT 1 1996

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Enclosed for your information please find a copy of a draft Consent Agreement and Consent Order which the Environmental Protection Agency has prepared in connection with SBA Shipyards, Inc.

REDACTED

DRAFT

REDACTED

UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
DALLAS, TEXAS

DRAFT

IN THE MATTER OF:

SBA Shipyards  
End of Highway 3166  
P.O. Box 1386  
Jennings, Louisiana

EPA I.D. NO. IAD003434185

RESPONDENT.

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§  
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§

DOCKET NUMBER

RCRA VI-508-H

CONSENT AGREEMENT AND CONSENT ORDER

I. PRELIMINARY STATEMENT

On \_\_\_\_\_ 1996, the Director of the Compliance Assurance and Enforcement Division, United States Environmental Protection Agency, Region VI (hereinafter "EPA"), filed a Complaint, Compliance Order and Notice of Opportunity for Hearing (Complaint) upon SBA Shipyards Inc. of Jennings, Louisiana (Respondent), pursuant to Section 3008 of the Resource Conservation and Recovery Act of 1976, as amended, (RCRA), 42 U.S.C. §6928. The Complaint alleges that Respondent violated the regulations promulgated pursuant to Subtitle C of RCRA, 42 U.S.C. §§6921-6939(b).

For the purposes of this proceeding only, Respondent admits the jurisdictional allegations of the Complaint; however, Respondent neither admits nor denies specific factual allegations contained in the Complaint and neither admits nor denies the Findings of Fact and the Conclusions of Law in this Consent

Agreement and Consent Order (CACO). The Complaint states a claim for which, if the allegations were proved, relief could be granted.

For the purposes of this proceeding only, Respondent expressly waives its rights to request a hearing on any issue of law or fact set forth herein and waives all defenses which have been or could have been raised to the claims set out in the Complaint.

In order to settle this matter without the necessity of litigation, Respondent consents to the issuance of the CACO set out below, consents to the assessment and payment of the stated civil penalty set forth below in the CACO and consents to the performance of the Site Remediation Project (SRP) set forth in the CACO below. Compliance with the terms of this CACO shall resolve the violations alleged in the Complaint.

## II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. SBA Shipyards Inc. ("SBA") was incorporated in and under the laws of the State of Louisiana in June of 1965.

2. SBA is located at the end of Highway 3166 in Jefferson Davis Parish, near Jennings, Louisiana.

3. Respondent's registered agent for service is Mr. Louis Smahall, President, SBA Shipyards, P. O. Box 1386, Jennings, Louisiana.

4. Respondent is a "person" as defined at LAC 33:V.109, and in Section 1004(15) of RCRA, 42 U.S.C. § 6903(15), and 40 CFR § 260.10.

5. Respondent owns and operates a plant located on the

Mermentau River near Jennings, Louisiana, where Respondent has engaged in the cleaning, reconditioning, and building of barges since 1965 ("the Facility").

6. Pursuant to Section 3010 of RCRA, 42 U.S.C. § 6930, on or about August 18, 1980, Respondent provided to EPA a Notification of Hazardous Waste Activity (§ 3010 Notification) with respect to the Facility.

7. In the § 3010 Notification, Respondent identified itself as a generator of D001 Ignitable waste; Respondent also identified itself as a treatment/storage/disposal Facility, and as an underground injection Facility.

8. On or about September 19, 1980, Respondent provided to EPA an amended Part A Application form indicating that the Facility does not treat, store, or dispose of hazardous wastes.

9. On or about August 24, 1994, representatives of EPA ("the Inspectors") inspected the Facility ("the August 24, 1994, Inspection").

a. The August 24, 1994, Inspection was conducted pursuant to RCRA Section 3007(a), 42 U.S.C. § 6927(a).

10. On the day of the August 24, 1994, Inspection, Mr. Louis Smaihall, president and owner of SBA Shipyards, was interviewed by the Inspectors.

11. Pursuant to the August 24, 1994, Inspection and interview with Mr. Smaihall, it was determined that Respondent operates various Solid Waste Management Units (SWMUs) at the Facility, including:

a. Four (4) Surface Impoundments, identified as

"Water Pits #1 - #3" and the "Oil Pit." These units were used to store and/or dispose of wastes generated in the Respondent's barge cleaning operations;

b. Several Storage Tanks, identified as "Barge Tanks #1 - #4." These tanks were used to store wastes generated in the Respondent's barge cleaning operations;

c. One (1) Landfill, located adjacent to Water Pit #1, used to treat and/or dispose of wastes generated in the Respondent's barge cleaning operations;

d. A waste tire storage area;

e. One (1) Landfill, located adjacent to the Tire Storage Area, used by Respondent to treat and/or dispose of other waste generated in the Respondent's operation of the Facility.

12. The four surface impoundments at the site were first excavated around 1970.

13. Since approximately 1970, Respondent has deposited waste generated from the Facility's operations in each of the units identified in paragraph Number 11. Water Pits 1, 2, and 3, and the Oil Pit are unlined.

14. On the date of the August 24, 1994, Inspection, the Inspectors determined that approximately 297 cubic yards of sludge were located in Water Pit #2.

15. Barge Tanks #1 - #4 were constructed by Respondent in 1992.

a. Since September 25, 1992, Barge Tanks #1 - #4 have each been used to store waste material, including sludge,

oil and waste water generated from Respondent's barge cleaning activities.

16. Since September 25, 1992, Tanks #1 - #4 have never been emptied or cleaned out.

17. At the time of the August 24, 1994, Inspection the Inspectors observed a landfill unit located adjacent to Water Pit #1 at the Facility.

18. Mr. Smaihall stated to the EPA Inspectors that beginning in 1991 and on several occasions since 1991, the water and oil from Water Pit #1 was pumped from Water Pit #1.

a. Sludge from the bottom of Water Pit #1 was mixed with fly-ash and lime to stabilize the sludge.

19. Sludge was removed from Water Pit #1 and placed on the ground surface adjacent to Water Pit #1 in the area now identified as the landfill adjacent to Water Pit #1.

20. The landfill adjacent to Water Pit #1 covers an area approximately 200 feet long and 100 feet wide.

21. On or about November 17, 1989, Respondent caused samples of waste sludge from the Facility's surface impoundments to be analyzed by Respondent's environmental contractor, Environmental Remediation, Inc. (ERI).

22. The November 17, 1989, samples were analyzed using the EP Toxicity Test.

23. On or about April 30, 1993 Respondent had samples of the waste sludge from the Facility's surface impoundments analyzed for the Toxicity Characteristic Leaching Process (TCLP)

priority pollutant metals.

24. The April 30, 1993 samples were not analyzed to determine if hazardous wastes were present in the sludge other than priority pollutant metals.

25. During the August 24, 1994, Inspection representatives of EPA caused samples of sludge to be collected from Water Pits 1, 2, and 3, and the Oil Pit.

26. Analysis of waste samples collected from Water Pit #1 indicate that the waste sludge from Water Pit #1 contained the following hazardous wastes and/or hazardous waste constituents:

a. Methylene Chloride

27. During the August 24, 1994, Inspection, samples of sludge from Barge Tanks #1 and #2, and Water Pit #2 were collected.

28. Analysis of waste samples collected from Barge Tanks #1 and #2 and from Water Pit #2 during the August 24, 1994, Inspection indicate that sludge from Barge Tanks #1 and #2 and from Water Pit #2 contained the following hazardous wastes and/or hazardous waste constituents:

a. Benzene (Water Pit #2, Barge Tank #2);

b. Vinyl chloride (Water Pit #2, Barge Tanks #1 & #2);

c. Methylene Chloride (Barge Tanks #1 & #2).

29. During the August 24, 1994, Inspection, samples of soils from the landfill area adjacent to the tire storage area were collected.

a. Methylene Chloride

a. Analysis of waste samples collected from the  
indicate that the drainage ditch contains the  
ardous wastes and/or hazardous waste constituents:

(1) Methylene Chloride

32. The substances identified in Paragraphs 10 through 31 above are "solid waste", as that term is defined at LAC 33:V.109 (40 CFR § 261.2).

33. The substances identified in Paragraph 10 through 31 above, are also "hazardous waste", as that term is defined at LAC 33:V.109 (40 CFR § 261.3).

34. On or about March 22, 1995, representatives of EPA caused samples of sludge to be collected from Water Pit #2 and from Barge Tanks #1 and #2 ("the March 22, 1995, Inspection").

7

- a. Benzene (D018);
- b. Vinyl chloride (D043);
- c. 1,2 Dichloroethane (D028);
- d. Tetrachloroethylene (D039);

36. The substances identified in Paragraph 35 are "solid waste", as that term is defined at LAC 33:V.109 (40 CFR § 261.2).

37. The substances identified in Paragraph 35 are also "hazardous waste", as that term is defined at LAC 33:V.109 (40 CFR § 261.3).

38. Pursuant to LAC 33:V.1103 and 40 CFR § 262.11, a person who generates a solid waste, as defined in 40 CFR § 261.2, must determine if that waste is a hazardous waste.

39. Since September 9, 1990, and up to the date of the inspection August 24, 1994, Respondent has not properly characterized the waste generated from Respondent's barge cleaning operations to determine whether the solid waste generated there from exhibited the toxicity characteristic for any of the toxic contaminants identified at 40 CFR § 261.24.

40. Therefore, Respondent has violated LAC 33:V 1103 and 40 CFR § 262.11 by failing to characterize its solid waste to determine if the solid waste is also a hazardous waste.

41. Pursuant to LAC 33:V 2701, RCRA § 3005, 40 CFR 270.1, a generator who treats, stores, or disposes of hazardous waste must comply with the applicable standards and permit requirements set forth in 40 CFR parts 264, 265, 266, 268, and

270.

42. Respondent has stored and/or continues to store the following hazardous waste in Barge Tank #1 at the Facility:

- a. DO18 Benzene
- b. 1,2 Dichloroethane
- c. Tetrachloroethylene
- d. Vinyl chloride

Respondent has stored and/or continues to store the following hazardous waste in Barge Tank #2 at the Facility:

- a. Benzene/vinyl chloride

43. Respondent's September 19, 1980 Part A Permit Application failed to identify the existence of hazardous waste storage activities at the Facility or request a permit for the storage of hazardous waste at the Facility.

a. Respondent has not filed any amendment to its September 19, 1980 Permit Application which notifies EPA or the State of its hazardous waste storage activity.

b. Respondent has not filed any amendment to its September 19, 1980 Permit Application which seeks a permit or other authorization to store hazardous waste at the Facility.

44. Respondent failed to obtain interim status authority to store hazardous waste at the Facility.

45. Respondent has not been issued a permit authorizing it to store hazardous waste at the Facility.

46. Therefore, Respondent is in violation of LAC 33:V 2701 (40 CFR § 270.10) and RCRA § 3005 by storing hazardous waste

47. Pursuant to LAC 33:V 2701, RCRA § 3005, 40 CFR § 262.10(note 2) a generator who treats, stores, or disposes of hazardous waste must comply with the applicable standards and permit requirements set forth in 40 CFR parts 264, 265, 266, 268, and 270.

(1) Benzene

(2) Vinyl chloride

c. Placement of hazardous waste in Water Pit #2 constitutes disposal of hazardous waste.

49. Respondent's September 19, 1980 Part A Permit Application failed to identify the existence of hazardous waste storage activities at the Facility or request a permit for the storage of hazardous waste at the Facility.

b. Respondent has not filed any amendment to its

September 19, 1980 Permit Application which seeks a permit or other authorization to store hazardous waste at the Facility.

50. Respondent failed to obtain interim status authority to store hazardous waste at the Facility.

51. Respondent has not been issued a permit authorizing it to store hazardous waste at the Facility.

52. Respondent had not applied for a permit from the LDEQ or EPA authorizing the disposal of hazardous waste at the Facility.

53. Therefore, Respondent has violated LAC 33:V 2701 (40 CFR § 270.10) and RCRA § 3005 by failing to obtain a permit or interim status in order to dispose of hazardous waste.

### III. COMPLIANCE ORDER

Pursuant to Section 3003(a) of RCRA, 42 U.S.C. § 6928(a), Respondent is hereby ordered to take the following actions:

54. No later than thirty days from the effective date of this CACO, Respondent shall submit the certification or information requested in this paragraph. Pursuant to LAC 33:V.501 and 40 CFR 270, Respondent shall submit to EPA a Part A and Part B permit application for all hazardous waste management units at the facility, or submit to EPA and LDEQ a plan that will ensure that Respondent will not accumulate waste on site in excess of 90 days as set forth in 40 CFR 262.34. If Respondent does not intend to operate a Treatment, Storage, or Disposal facility, certification as to this fact shall be submitted to EPA

and LDEQ.

55. No later than thirty days from the effective date of this CACO, Respondent shall submit the certification or information requested in this paragraph. Pursuant to LAC 33:V.303 and 40 CFR 261.5(g)(2), Respondent shall submit to LDEQ and EPA notification of all hazardous waste activity at the facility.

56. No later than thirty days from the effective date of this CACO, Respondent shall submit the certification or information requested in this paragraph. Respondent shall certify that all of the requirements for the regulations cited in paragraphs 38-53 above, and as alleged in the Complaint, have been and are now being complied with.

57. No later than thirty (30) days from the effective date of this CACO, Respondent shall certify that the SRP as outlined in Attachment A has commenced and shall proceed according to the implementation schedule contained in the SRP. The SRP is attached as Appendix A and incorporated in this CACO by reference as if reproduced in full. Respondent shall continue to undertake the SRP activities until Respondent has completed all remediation and reporting tasks to the satisfaction of EPA review. (Attachment A is to be developed based on review of SBA contractor submittals for remediation of the site.)

*\*  
at  
contingent  
upon CACO  
approval  
EPA*

58. In all instances in which this CACO requires written submissions pursuant to paragraphs 54 through 57 of this CACO to EPA, these submissions must be accompanied by the

following certification signed by a "responsible official:"

"I certify that the information contained in or accompanying this submission is true, accurate and complete. As to those identified portions of this submission for which I cannot personally verify the truth and accuracy, I certify as the company official having supervisory responsibility for the person(s) who, acting upon my direct instructions, made the verification, that this information is true, accurate, and complete."

For the purpose of this certification, a "responsible official" of a corporation means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar decision-making functions for the corporation.

#### IV. SUBMISSIONS/AGENCY APPROVAL/ADDITIONAL WORK

59. The SRP approved or modified in writing by EPA shall be deemed incorporated into this CACO. Any noncompliance with approved or modified SRP shall be a violation of the terms of this CACO and subject to the stipulated penalties outlined in Section VI of this CACO.

- c. Oral advice or approvals given by EPA representatives will not constitute an official approval, nor shall any oral approval or oral assurance.

#### V. FINANCIAL ASSURANCE FOR SRP

Language for this section of the CACO will be developed after review of proposal by SEA to have SRP funded by insurance and

participation of historical generators of waste through barge cleaning operations in the past.

#### VI. PENALTY ORDER

Pursuant to the authority of Section 3006(a) of RCRA, 42 U.S.C. § 6928(a), and upon the consideration of the nature, circumstances, extent and gravity of Respondent's violations, the evaluation of documentation concerning the Respondent's ability to pay, Respondent's good faith efforts to comply, history of noncompliance or lack thereof, the degree of wilfulness and/or negligence, Respondent's agreement to undertake the actions set forth in this CACO, Respondent's agreement too perform the SRP set forth in this CACO, and after consideration of the record herein and the civil penalties proposed in the Complaint, it is hereby ORDERED that Respondent shall pay a civil penalty of \_\_\_\_\_ Dollars.

60. Respondent shall pay said civil penalty by cashier's check or certified check made payable to the Treasurer of the United States within 30 days within thirty (30) days of the filing of this CACO with the Regional Hearing Clerk, Region 6. The payment should be mailed to the:

Regional Hearing Clerk (6C)  
U.S. EPA, Region 6  
P.O. Box 360582M  
Pittsburgh, PA 15251

Docket No. RCRA VI-508-H should be clearly typed on the check to ensure proper credit. Respondent shall send simultaneous notices of such payment, including copies of the cashier's check or

certified check to the following:

Mark Potts, Chief  
ALONM Section (6EN-HS)  
Compliance Assurance and Enforcement Division  
U.S. Environmental Protection Agency  
1445 Ross Avenue,  
Dallas, Texas 75202

Nellie Rocha  
Compliance Assurance and Enforcement Division (6EN-LH)  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Regional Hearing Clerk  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202

Adherence to these procedures will ensure proper credit when payments are received.

61. If EPA does not receive payment within thirty (30) days of the due date, interest will accrue on the amount due from the due date at the current annual rate prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletin per annum through the date of payment. The due date is the date specified in this CACO for payment unless the Respondent invokes the dispute resolution procedures. If dispute resolution is invoked, for purposes of interest calculation, the due date is the date of final resolution of the dispute.

62. If the payment is overdue, EPA will also impose a late-payment handling charge of \$15, with an additional delinquent notice charge of \$15 for each subsequent 30-day period. Finally, EPA will apply a 6 percent per annum penalty on

any principal amount not paid within 90 days of the due date.

#### VII. STIPULATED PENALTIES

63. In addition to any other remedies or sanctions available to the United States, if Respondent fails or refuses to adequately and timely comply with the terms listed in Section III or IV of this CACO, Respondent shall pay stipulated penalties of \$500 per day for each such failure or refusal. Penalties shall accrue from the date of noncompliance until the violation is corrected as determined by EPA.

64. If Respondent makes a good faith and timely effort to complete the SRP and certifies, with supporting documentation that Respondent has completed all tasks as outlined in Appendix A, Respondent shall not pay any stipulated penalty.

65. The determinations of whether the SRP has been satisfactorily completed and whether the Respondent has made a good faith, timely effort to implement the SRP shall be in the sole discretion of EPA.

66. The payment of stipulated penalties shall be made by mailing a cashier's check or certified check payable to Treasurer of the United States, within (30) days of receipt of a demand letter for payment to the following address:

Regional Hearing Clerk (6C)  
U.S. EPA, Region 6  
P.O. Box 360582M  
Pittsburgh, PA 15251

Docket No. RCRA VI-508-H should be clearly typed on the check to ensure proper credit. Respondent shall send simultaneous notices of such payment, including copies of the cashier's check or

certified check to the following:

Mark Potts, Chief  
ALONM Section (6EN-HS)  
Compliance Assurance and Enforcement Division  
U.S. EPA, Region 6  
1445 Ross Avenue,  
Dallas, Texas 75202

Nellie Rocha (6EN-LH)  
Compliance Assurance and Enforcement Division  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202-2733

Regional Hearing Clerk  
U.S. EPA, Region 6  
1445 Ross Avenue  
Dallas, Texas 75202

Respondent's adherence to these procedures will ensure proper credit when payments are received.

67. In addition to the stipulated penalties set forth above, EPA and the United States specifically reserve the right to seek other remedies or sanctions available to EPA or the United States by reason of Respondent's failure to comply with the requirements of this CACO, including sanctions that EPA or the United States may seek under Section 3008 of RCRA.

68. If Respondent disputes the basis for imposition of stipulated penalties, the issue shall be resolved under the Dispute Resolution procedures of this CACO. Invoking Dispute Resolution shall not stay the accrual of stipulated penalties; however, the obligation to pay shall be stayed pending resolution of the dispute.

#### VIII. FORCE MAJEURE

69. Respondent shall perform the requirements of this

CACO within the time limits set forth or approved or established herein, unless the performance is prevented or delayed solely by events which constitute a force majeure. A force majeure is defined as an event arising from causes which are not foreseeable, which are totally beyond the control of Respondent, including its consultants and contractors, which could not be overcome by the exercise of due diligence, and which delays or prevents the performance by a date or time required by this CACO. Such events do not include unanticipated or increased costs or performance, changes in economic circumstances of Respondent, or precipitation events normal for the area.

70. Respondent must notify EPA in writing within seven (7) days of events which constitute a force majeure. Such notice shall identify the event causing the delay or anticipated delay, estimate the anticipated length of delay, measures taken or to be taken to minimize the delay, and an estimated time table for implementation of these measures. Respondent shall adopt all measures to avoid and minimize the delay. Failure to comply with the notice provision of this section shall be construed as a waiver of any claim of force majeure by the Respondent.

71. Only if EPA determines that the delay has been or will be caused solely by events which are foreseeable, which are totally beyond Respondent's control, including its consultants and contractors, and which could not have been overcome by due diligence, the time for performance for that part of this CACO shall be extended by EPA for a period equal to the delay

resulting from such circumstances. The modification of the time periods allowed for performance of the applicable element(s) of this CACO shall be accomplished through written notification by the EPA to Respondent. Such an extension due to force majeure does not alter the time period allowed for performance or completion of other tasks required by this CACO. In the event that EPA and Respondent cannot agree that a delay or failure has been or will be caused solely by events which are not foreseeable, which are beyond the control of Respondent, and which could not have been overcome by diligence, or if there is no agreement on the length of the extension, the dispute shall be resolved in accordance with the Dispute Resolution provisions of Section VII of this CACO.

#### IX. DISPUTE RESOLUTION

72. If Respondent objects to any decision or directive related to the requirements made by EPA under this CACO, Respondent shall notify the Chief of the Arkansas, Louisiana, Oklahoma, and New Mexico Section of the Compliance Assurance and Enforcement Division ("the Chief") in writing of its objections and the basis for those objections within fifteen (15) calendar days of receipt of EPA's decision or directive. The Chief, or his designee, and the Respondent shall then have an additional fifteen (15) calendar days from EPA's receipt of Respondent's written objections to attempt to resolve the dispute. If no agreement is reached between the Chief, or his designee, and the Respondent within that time period, the dispute shall be

submitted to the Deputy Division Director of the Compliance Assurance and Enforcement Division or the Deputy Division Director's designee. EPA and the Respondent shall then have a second 15-day period to resolve the dispute. If agreement is reached between the Deputy Division Director, or the Deputy Division Director's designee, and Respondent, the resolution shall be reduced to writing and signed by the Deputy Division Director and Respondent and incorporated into this CACO. If EPA and the Respondent are unable to reach agreement within this second 15-day period, the Deputy Division Director or the Deputy Division Director's designee shall provide a written statement of EPA's decision to Respondent, which shall be binding and incorporated into this CACO.

#### X. RECORD PRESERVATION

73. Respondent shall preserve, during the pendency of this CACO, all records and documents in its possession or in the possession of its divisions, employees, agents, contractors, or successors which in any way relate to this CACO regardless of any document retention policy to the contrary, for a minimum of five years following Respondent's receipt of EPA's written notification that this CACO has been satisfied and terminated and that all penalties and other payments assessed hereunder have been paid in full.

74. Respondent shall notify EPA ninety (90) calendar days prior to the destruction of any documents or records required to be kept under this CACO. Upon request by EPA,

Respondent shall make available to EPA the actual records, or copies of the actual records, required to be maintained pursuant to this CACO.

#### XI. TERMINATION

75. At such time as Respondent believes that it has complied with all terms and conditions of this CACO (including any agreed modification) and with the exception of the record and document preservation Section, it may request that EPA advise whether this CACO, excepting the record and document preservation, has been satisfied and terminated. Such request shall be in writing and shall provide the necessary documentation to establish whether there has been full compliance with the terms and conditions of the CACO and its Exhibit. EPA will respond to said request as expeditiously as possible. Except for the record and document preservation requirements of this CACO, this CACO shall terminate when all actions required to be taken by this CACO have been completed and Respondent has been notified by the EPA in writing that this CACO has been satisfied and terminated.

#### XII. RETENTION OF ENFORCEMENT RIGHTS

76. The EPA does not waive any rights or remedies available to the United States or EPA for any violations by Respondent of Federal or State laws, regulations, or permitting conditions following the entry of this CACO.

77. Notwithstanding any other provision of this CACO, an enforcement action may be brought against the Respondent

pursuant to Section 7003 of RCRA, 42 U.S.C. § 6973, or other statutory authority if EPA finds that the handling, storage, treatment, transportation or disposal of solid waste or hazardous waste at the facility presents an imminent and substantial endangerment to human health or the environment.

#### XIII. INDEMNIFICATION OF EPA

78. Neither EPA nor the United States Government shall be liable for any injuries or damages to persons or property resulting from acts or omissions of the Respondent, their officers, directors, employees, agents, receivers, trustees, successors, assigns or contractors in carrying out activities pursuant to this CACO, nor shall the EPA or the United States Government be held out as a party to any contract entered into by the Respondent in carrying out activities pursuant to this CACO.

#### XIV. PARTIES BOUND

79. The provisions of this CACO shall apply to and be binding upon the parties to this action, their officers, directors, agents, servants, employees, attorneys, successors, assigns, and all persons, firms, entities and corporations in active concert and participation with them who receive actual notice of this CACO by personal service or otherwise. The undersigned representative of each party to this CACO certifies that he or she is fully authorized by the party whom he or she represents to enter into the terms and conditions of this CACO and to execute and to legally bind that party to it.

## XV. NOTIFICATION

80. Unless otherwise specified elsewhere in this CACO, under the terms of this CACO, whenever notice is required to be given, whenever a report or other document is required to be forwarded by one party to another, or whenever a submission or demonstration is required to be made, it shall be directed to the individuals specified below at the addresses given (in addition to any individuals specified elsewhere in this CACO or specified by law or regulation), unless these individuals or their successors give notice in writing to the other parties that another individual has been designated to receive the communication.

EPA: Mark Potts, Chief  
ALONM Section (6EN-HS)  
Compliance Assurance and Enforcement  
Division  
U.S. Environmental Protection Agency  
1445 Ross Avenue  
Dallas, Texas 75202

Respondent: Louis Smaihall  
President  
SBA Shipyards Incorporated  
P.O. Box 1386  
Jennings, Louisiana 70546

## XVI. SECTION HEADINGS

The section headings set forth in this CACO are included for convenience of reference only and shall be disregarded in the construction and interpretation of any provisions of this CACO.

XVII. MODIFICATION

81. The terms, conditions, and compliance requirements of this CACO may not be modified or amended except as otherwise specified in this CACO or upon the written agreement of both parties and such modification or amendment being filed with the Regional Hearing Clerk.

This Consent Agreement and Consent Order shall become effective upon receipt by Respondent of notice of filing.

IT IS SO AGREED AND ORDERED:

RESPONDENT

DATE : \_\_\_\_\_

By: \_\_\_\_\_

**DRAFT**

Louis Smaihall, President  
SBA Shipyards, Inc.

U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 6

DATED: \_\_\_\_\_

By: \_\_\_\_\_

**DRAFT**

Samuel Coleman, P.E.  
Director  
Compliance Assurance and Enforcement  
Division  
U. S. Environmental Protection  
Agency, Region 6

**DRAFT**

Jane N. Saginaw  
Regional Administrator  
U. S. Environmental Protection  
Agency, Region 6

CERTIFICATE OF SERVICE

I hereby certify that the original of the foregoing Consent Agreement and Consent Order styled In the Matter of: SBA SHIPYARDS INC., Jennings, Louisiana, RCRA Docket No. RCRA-VI-508-H, was filed with the Regional Hearing Clerk, EPA Region 6, Dallas, Texas, and a true and correct copy of such Consent Agreement and Consent Order was placed in the United States mail, postage prepaid, certified mail, return receipt requested, on this \_\_\_\_\_ day of \_\_\_\_\_ 1996, addressed to the following:

Mr. Louis Smaihall  
President  
SBA Shipyards Inc.  
P.O. Box 1386  
Jennings, LA 70546

**DRAFT**

Lauretta Scott

Schwab & Walter  
Attorneys at Law

John Schwab  
Gerald L. Walter, Jr.

William E. Hodgkins  
Anne Jordan Crochet  
John F. Derenbecker  
J. Lee Alcock, Jr.  
Brent B. Boxill

10636 Linkwood Court  
Baton Rouge, Louisiana 70810-2854  
Telephone (504) 767-1460  
Fax (504) 769-0010

SBA  
Shipyard

APR 22 1996

To Bill Morelli

April 12, 1996

VIA FACSIMILE AND MAIL

Ms. Nelly M. Rocha  
Enforcement Counsel  
U.S. Environmental Protection Agency, Region VI  
1445 Ross Avenue  
Ste. 1200, Mail Code 6EN-LH  
Dallas, Texas 75202

Re: Update on Efforts to Close Waste Management Activities  
SBA Shipyards, Inc.  
Jennings, Louisiana  
LAD008434185

Dear Ms. Rocha:

In response to our most recent conversations with you and Mr. Greg Pashia, the following discussion sets forth the recent progress that has been made to effect the closure and cleanup of historical waste management activities at SBA Shipyards, Inc. ("SBA"). SBA appreciates the willingness of the U.S. Environmental Protection Agency ("EPA") to allow SBA to pursue a voluntary remediation and closure solution to its environmental problems.

**Sampling and Characterization of Tanks and Impoundments**

On October 25, 1995, an extensive sampling effort was performed on the tanks, surface impoundments and "land treatment unit" at SBA. The samples were analyzed for a variety of chemical constituents and physical parameters. The purpose of the effort was to obtain the analytical data necessary to make proper hazardous waste determinations and to provide other needed information for the development of on-site and off-site treatment and/or disposal options.

#### Initial Evaluation of Options for On-Site and Off-Site Management

The analytical data from the sampling effort discussed above was evaluated to begin the development of options for the management of the residuals at SBA. These options included reuse/recycling in fuels programs or as feedstocks, in-situ treatment and closure, and off-site treatment and disposal. Unfortunately, the options for in-situ treatment and closure could not be properly developed without a treatability study which is discussed in more detail below. Off-site options for the tank contents were very limited due to the fact that the tank materials are predominantly comprised of very stable emulsions with a very high water content and the presence of hazardous constituents that resulted in some, as yet, unanswered questions regarding options for reuse/recycling of this material. The contents of the tanks are being evaluated for possible treatment to separate the water and organics to minimize the costs of recovery, treatment and/or disposal.

#### Request for Voluntary Contribution from Current and Former Customers

On March 8, 1996, a letter was sent to 22 current and former customers ("Customers") of SBA requesting that they participate in a voluntary funding of the remediation and closure activities at SBA. The letter informed the Customers that residues from the cleaning of their barges were present at SBA in surface impoundments and tanks which are the subject of near-future closure and remediation activities. The belief that a free phase hydrocarbon layer may be present beneath the surface impoundments was also conveyed in the letter. Attached to the letter was a list containing the name/number of each barge the individual Customer had cleaned at SBA, the approximate date each barge was cleaned, and the last three cargoes each barge contained prior to being cleaned at SBA.

A follow-up letter was sent to the same 22 Customers on March 22, 1996 to which the following was attached: 1) a list of all of the 22 Customers, whose barges were cleaned at SBA, along with their addresses, phone numbers and contact names, and each of the Customer's barge information that was previously submitted separately to each party in the March 8 letter; 2) a history of the DEQ and EPA actions at SBA along with any related correspondence; 3) a description of the known environmental impacts at SBA; 4) a summary of results from conventional analyses performed on the contents of the surface impoundments and tanks; 5) a summary of the results from TCLP and RCI analyses performed on the contents of the surface impoundments and tanks; and 6) a drawing from a 1990 report depicting an estimate

of the horizontal extent of the phased hydrocarbon layer and groundwater contaminant plume in the vicinity of the surface impoundments.

Currently, SBA is reviewing its records and preparing a list of the volumes of residues removed from each barge for each Customer. Upon completion of this record review, which is anticipated to be completed in approximately one week, a letter will be sent to the 22 Customers that will contain: 1) a listing of the volumes of residues removed from each barge from each Customer; 2) information on the recent subsurface investigation and the treatability study which is described below; 3) options and cost estimates for remediation and closure; and 4) a date and meeting location to discuss the scope, cost and participation for each of the Customers in the upcoming remediation and closure activities.

#### **Subsurface Investigation**

On March 28, 1996, two borings were advanced in the area of the surface impoundments for purposes of establishing a "fingerprint" for the constituents present in the phased hydrocarbon layer believed to be present in the vicinity of the surface impoundments. The soil and liquid samples collected from these borings are currently being analyzed for volatiles, semi-volatiles and metals. Upon receipt, the analytical data will be forwarded to the 22 Customers and the environmental contractor that is performing the treatability study and preparing the closure and remediation cost estimate. The analytical data, treatability study and cost estimates will be forwarded to the 22 Customers in advance of the anticipated meeting referenced above.

#### **Treatability Study and Closure/Remediation Cost Estimates**

On April 9, 1996, Environmental Solutions, Inc. ("ESI"), a TRC company, sampled the surface impoundments at SBA for purposes of conducting a treatability study that will be used as the basis for the preparation of the closure and remediation plan for the waste management areas at SBA. Upon completion of their treatability study, ESI will also prepare cost estimates for the closure and remediation activities. As noted above, the study and cost estimates will be forwarded to the 22 Customers in advance of the anticipated meeting.

Ms. Nelly M. Rocha  
April 12, 1996  
Page 4

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**Closure and Remediation Plan Development**

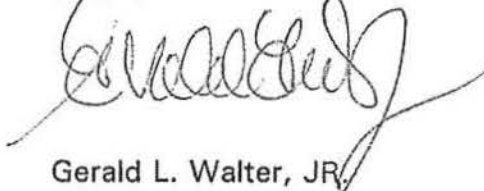
Upon completion of the treatability study and closure/remediation cost estimates, the above referenced meeting will be scheduled with the 22 Customers regarding the funding of the closure and remediation activities. At this meeting, or shortly thereafter, a firm will be selected to conduct the RI/FS and prepare the closure and remediation plan that will be submitted for approval to EPA and/or DEQ.

If it becomes evident at or shortly after the Customer meeting that there may be insufficient voluntary support for the funding of the requisite closure and remediation activities, SBA will contact all 22 Customers and confirm their position on voluntary funding. If insufficient support is confirmed, EPA and DEQ will be promptly notified and all of the information pertaining to a determination of the relative liability for each of 22 Customers will subsequently be forwarded to EPA and DEQ.

If you or Mr. Pashia should require copies of any of the information or data discussed above or have any questions related thereto, please contact the undersigned or Mr. J. Mike DiGiglia of our office at your convenience.

Very truly yours,

SCHWAB & WALTER

A handwritten signature in dark ink, appearing to read 'G. L. Walter, Jr.', with a long, sweeping horizontal line extending to the right.

Gerald L. Walter, JR.

GLWjr

c: Mr. Greg Pashia - EPA Region VI  
Mr. Louis Smaihall - SBA  
SBA Customers

Schwab & Walter  
Attorneys at Law

*file*  
100-46-021

John Schwab  
Gerald L. Walter, Jr.

William E. Hodgkins  
Anne Jordan Crochet  
John F. Derenbecker  
J. Lee Alcock, Jr.  
Brent B. Boxill

10636 Linkwood Court  
Baton Rouge, Louisiana 70810-2854  
Telephone (504) 767-1460  
Fax (504) 769-0010

May 9, 1996

MAY 14 1996

VIA FACSIMILE AND MAIL

Ms. Nelly M. Rocha  
Enforcement Counsel  
U.S. Environmental Protection Agency, Region VI  
1445 Ross Avenue  
Ste. 1200, Mail Code 6EN-LH  
Dallas, Texas 75202

Re: Update on Efforts to Close and Remediate Waste Management Units  
SBA Shipyards, Inc.  
Jennings, Louisiana  
LAD008434185

Dear Ms. Rocha:

This letter represents a follow up to our April 12, 1996 letter regarding the status of activities at SBA Shipyards, Inc. ("SBA"). In accordance with commitment to keep you and Mr. Greg Pashia, the following discussion sets forth the recent progress that has been made to effect the closure and cleanup of historical waste management activities at SBA.

Customer Meeting

A meeting of the former and current customers ("Customers") of SBA that have had barges cleaned at the facility has been set for May 29, 1996. At this meeting, a number of relevant issues will be discussed. A copy of the proposed agenda that was sent to the Customers is attached for your information.

Subsurface Investigation

As stated in our previous correspondence, two borings were advanced in the area of the surface impoundments, on March 28, 1996, for purposes of establishing a "fingerprint" for the constituents present in the phased hydrocarbon layer believed to be present in the vicinity of the surface impoundments. The data generated during the investigation indicated the presence of nonaqueous phase liquids in both the soil and groundwater to depths of 14 feet below ground surface. The horizontal and vertical extent, as well as any rates of migration, have not yet been determined for either the free-phase layer or the saturated plume.

ING 00896

Ms. Nelly M. Rocha  
May 9, 1996  
Page 2

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#### Treatability Study and Closure/Remediation Cost Estimates

As noted in our previous correspondence, TRC Environmental Solutions, Inc. ("TRC") sampled the surface impoundments at SBA on April 9, 1996 for purposes of conducting a treatability study that will be used as the basis for the preparation of the closure and remediation plan for the waste management areas at SBA. TRC has indicated that the results from the treatability study and the cost estimates for the closure and remediation activities will be available on or about May 15, 1996.

#### Volumes Removed From Barges

SBA has completed its record review and is now in the process of compiling a list of volumes of residues removed from each barge from each Customer, where such information is available. This information will be made available to the Customers for use as one factor in determining the relative liability and contribution requirements for each Customer.

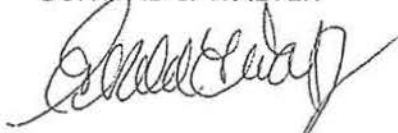
#### Closure and Remediation Plan Development

At the meeting noted above, discussions will be initiated regarding the scope of work for a request for proposal ("RFP") to be submitted to qualified remediation firms. The RFP will address conducting the RI/FS and preparing the closure and remediation plan that will be submitted for approval to EPA and/or DEQ. Time tables for RFP submittals, due dates or closure/remediation plan submittal have not yet been developed.

If you or Mr. Pashia should require copies of any of the information or data discussed above or have any questions related thereto, please contact the undersigned or Mr. J. Mike DiGiglia of our office at your convenience.

Very truly yours,

SCHWAB & WALTER



Gerald L. Walter, JR.

GLWjr

c: Mr. Greg Pashia - EPA Region VI  
Mr. Louis Smaihall - SBA  
SBA Customers

ING 00897

Schwab & Walter  
Attorneys at Law

John Schwab  
Gerald L. Walter, Jr.

William E. Hodgkins  
Anne Jordan Crochet  
John F. Derenbecker  
J. Lee Alcock, Jr.  
Brent B. Boxill

10636 Linkwood Court  
Baton Rouge, Louisiana 70810-2854  
Telephone (504) 767-1460  
Fax (504) 769-0010

April 26, 1996

Robert E. Holden  
LISKOW & LEWIS  
701 Poydras St., Ste. 5000  
New Orleans, LA 70139

RE: Follow Up to Request for Voluntary Funding and Results From  
Subsurface Investigation  
SBA Shipyards, Inc.

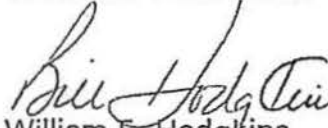
Dear Mr. Holden:

As previously indicated, SBA Shipyards, Inc. ("SBA") had made arrangements to perform a preliminary subsurface investigation to verify their suspicions that a free-phase hydrocarbon layer is present in the subsurface stratum between the bottom of the surface impoundments and the upper surface of the water table. A report containing the results of this investigation is attached for your review.

If you should have any questions regarding the foregoing, please do not hesitate to contact the undersigned, or J. Mike DiGiglia of our office, at your convenience.

Sincerely,

SCHWAB & WALTER

  
William E. Hodgkins

WEH/mr

Enclosure: Subsurface Sampling Investigation  
by Jesco Environmental & Geotechnical Services, Inc.

c: William P. Morelli ✓

ING 00898



***Environmental & Geotechnical Services, Inc.***

Mr. Mike Di Giglia  
Schwab and Walters  
10636 Linkwood Court  
Baton Rouge, LA 70810-2854

Re: Subsurface Sampling Investigation  
SBA Shipyards  
Jennings, Louisiana

Dear Mr. Di Giglia:

On March 28, 1996 Jesco Environmental and Geotechnical Services, Inc. (Jesco) conducted two soil borings (A and B) in the areas outlined in your March 20, 1996 fax.

The two soil borings were conducted utilizing direct push technology. Discreet soil samples were obtained throughout the entire depth of the borehole. These samples were logged and head space analysis was conducted on each sample using a photo ionization detector.

When the first unconfined aquifer was reached soil sampling was discontinued. The borings were then over drilled using a trailer mounted drilling rig. Two 2 inch diameter temporary wells were then set and allowed to recharge. Water samples were then collected from the temporary wells utilizing disposable polyethylene bailers. The water samples were submitted to the laboratory following the proper chain of custody procedures and analyzed for Volatiles (EPA Method 624), Semi-Volatiles (EPA Method 625) and Total Metals (EPA Methods 200.7, 206.3, 245.1 and 270.3). After sample collection, the wells were removed and the boreholes were plugged and abandoned.

Field observations indicated the presence of NAPL in both soils and groundwater. Headspace analysis also indicated the presence of volatile organic compounds. These observations are noted on the soil boring logs. Laboratory analysis indicated the presence of both volatile and semivolatile compounds in both of the groundwater samples collected. Phenolic compounds were also detected in Sample A. Although no background sample was collected and analyzed for comparison purposes, Total Metal concentrations for these samples do not appear to be of environmental concern.

Please find enclosed the laboratory data, chain of custody, soil boring logs and a field map indicating the locations where the samples were collected.

Jesco appreciates the opportunity to provide our services to your company. If we can be of further assistance please contact our office at (318)-824-9074.

Sincerely,

Alvinette Teal, P.G.

cc: Mr. Louis Smaihall, SBA Shipyards, Inc.

**719 North Main • P.O. Box 1324 • Jennings, Louisiana 70546**  
**Office (318) 824-9074 • Fax (318) 824-9076**

ING 00899

**Jesco**  
Environmental & Geotechnical  
Services, Inc.

**Soil Boring Log**

Project Name: SBA Shipyards, Inc.

Date: 03/28/1996

Project# 153

Borehole# A

Drill Method: DPT

Boring Location: Jennings, LA

Depth: 14 ft

Geologist: A. Teal

Surface Elevation: N/A

Diameter: 1.125"

Driller: W. Schexnider

Depth(ft)	Symbol	samples	Penetrometer	PID Reading	Material Description	Remarks
2			<0.5	30	2.5 YR 2.5/1 Reddish black sandy silt	Brittle, Noncohesive, mild hydrocarbon odor
4			1.25	7	10 YR 7/2 Lt. gray clay with ferric inclusions	Plastic, cohesive, moist, slight hydrocarbon odor
6			0.5	78	10 YR 7/2 Lt. gray silty clay with ferric inclusions	Plastic, cohesive, moist, slight hydrocarbon odor
8			0.5	54	10 YR 7/2 Lt. gray silty clay with ferric inclusions	Plastic, cohesive, moist, slight hydrocarbon odor
10			0.5	197	10 YR 3/3 Dark brown sandy silt	Hydrocarbon stained, strong Hydrocarbon odor, saturated with NAPL, cohesive, nonplastic
12			<0.5	373	10 YR 3/3 Dark brown sandy silt	Hydrocarbon stained, strong Hydrocarbon odor, saturated with NAPL, cohesive, nonplastic
14			<0.5	373	10 YR 3/3 Dark brown sandy silt	Hydrocarbon stained, strong Hydrocarbon odor, saturated with NAPL, cohesive, nonplastic
16					Borehole terminated.	

Remarks:

**Jesco**  
Environmental & Geotechnical  
Services, Inc.

**Soil Boring Log**

Project Name: SBA Shipyards, Inc.

Date: 03/28/1996

Project# 153

Borehole# B

Drill Method: DPT

Boring Location: Jennings, LA

Depth: 14 ft

Geologist: A. Teal

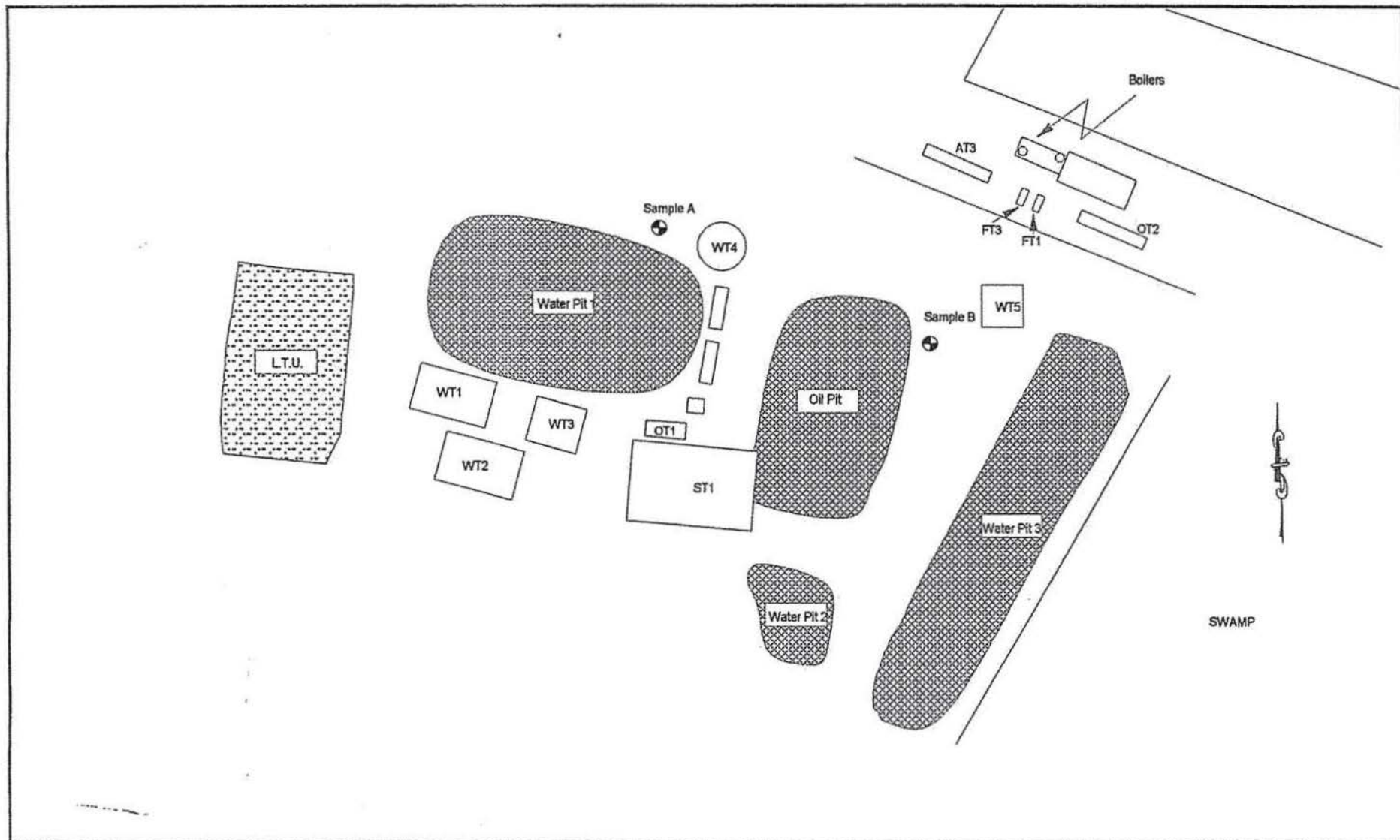
Surface Elevation: N/A

Diameter: 1.125"

Driller: W. Schexnider

Depth (ft)	Symbol	samples	Penetrometer	PID Reading	Material Description	Remarks
2			1.5	116	2.5 YR 2.5/1 Reddish black clay	Brittle, Noncohesive, strong hydrocarbon odor
4			0.5	92	10 YR 6/2 Lt. brownish gray silty clay	Nonplastic, cohesive, strong hydrocarbon odor
6			1.5	140	10 YR 6/2 Lt. brownish gray silty clay	Plastic, cohesive, moist, strong hydrocarbon odor
8			<0.5	183	10 YR 7/2 Lt. brownish gray silty clay	Plastic, cohesive, moist, strong hydrocarbon odor
10			<0.5	221	10 YR 7/2 Lt. brownish gray clayey silt	Strong Hydrocarbon odor, saturated with NAPL, cohesive, plastic
12			<0.5	107	10 YR 7/2 Lt. brownish gray sandy clay	Strong Hydrocarbon odor, saturated with NAPL, cohesive, plastic
14			<0.5	192	10 YR 7/2 Lt. brownish gray sand	Strong Hydrocarbon odor, saturated with NAPL, cohesive, plastic, wet
16					Borehole terminated.	

Remarks:



**Jesco**

Environmental & Geotechnical  
Services, Inc.

CLIENT: SBA Shipyards, Inc.  
Jennings, Louisiana

DATE: 04/02/96  
DRAWN BY: P.K.U.

**Figure 1**  
**Sample Location Map**

**LEGEND**

⊕ Temp. Well Location

ING 00902



316 Mecca Drive  
Lafayette, LA 70508-3306  
Telephone (318) 235-0483

**SHERRY LABORATORIES**  
INDIANA LOUISIANA OKLAHOMA  
*James Laboratories*

P.O. Box 81816  
Lafayette, LA 70598-1816  
Fax 318-233-6540  
800-737-2378

Page 1  
Received: 03/29/96

SHERRY LABS LA TEST REPORT  
04/16/96 11:35:29

Work Order # 96-03-606

ATTEN ALVINETTE TEAL  
REPORT JESCO ENV & GEO SERVICES INC  
TO P O BOX 1324  
JENNINGS LA 70546-1324

PREPARED SHERRY LABORATORIES LOUISIANA  
BY P O BOX 81816  
316 MECCA DRIVE  
LAFAYETTE LA 70598-1816  
ATTEN ENVIRONMENTAL LABORATORY  
PHONE (318) 235-0483

82  
CERTIFIED BY

CONTACT JERRY

CLIENT JESCO ENV SAMPLES 2  
COMPANY JESCO ENV & GEO SERVICES INC  
FACILITY BEEPER - 821-0588

JERRY LANDRY LAURA JANKOWER  
VICE-PRESIDENT/LAB MANAGER QUALITY ASSURANCE MANAGER

WORK ID SBA - PROJECT #153  
TAKEN 3/28/96 BY W. SCHEXNIDER  
TRANS HAND DELIVERED  
TYPE WATER  
P.O. #   
INVOICE under separate cover

**SAMPLE IDENTIFICATION**

**TEST CODES and NAMES used on this workorder**

01 SBA - SAMPLE A  
02 SBA - SAMPLE B

8240 VOA'S - METHOD 8240 LIST  
ACEXT ACID EXTRACTABLES-GC/MS  
AG SILVER  
AS ARSENIC  
BA BARIUM  
BNEXT B/N EXTRACTABLES-GC/MS  
CD CADMIUM  
CR CHROMIUM  
HG MERCURY  
PB LEAD  
SE SELENIUM  
ZN ZINC

TOTAL PAGES OF THIS REPORT : 9  
THIS REPORT SHALL NOT BE REPRODUCED EXCEPT IN FULL,  
WITHOUT THE WRITTEN APPROVAL OF SHERRY LABORATORIES

ING 00903



316 Mecca Drive  
Lafayette, LA 70508-3306  
Telephone (318) 235-0483

**SHERRY LABORATORIES**  
INDIANA LOUISIANA OKLAHOMA  
*James Laboratories*

P.O. Box 81816  
Lafayette, LA 70598-1816  
Fax 318-233-6540  
800-737-2378

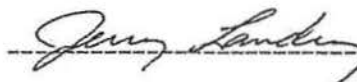
Page 2

LAB I.D. 9603606-01A

DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE A

DATE COLLECTED: 03/28/96 11:30

  
LABORATORY REPRESENTATIVE  
SHERRY LABORATORIES LA

<u>ANALYTE</u>	<u>ANALYST</u> <u>INITIALS</u>	<u>DATE</u> <u>ANALYZED</u>	<u>REFERENCE</u> <u>METHOD</u>	<u>DETECTION</u> <u>LIMIT</u>	<u>CONCENTRATION</u> <u>PPM</u>
SILVER	TS	04/03/96	EPA 200.7	0.007 ppm	BDL
ARSENIC	TS	04/03/96	EPA 206.3	0.0004 ppm	0.0606
ARIUM	TS	04/03/96	EPA 200.7	0.004 ppm	2.33
ADMIMUM	TS	04/03/96	EPA 200.7	0.005 ppm	BDL
HROMIUM	TS	04/03/96	EPA 200.7	0.007 ppm	0.017
ERCURY	TS	04/10/96	EPA 245.1	0.00002 ppm	0.00018
EAD	TS	04/03/96	EPA 200.7	0.050 ppm	BDL
ELENIUM	TS	04/03/96	EPA 270.3	0.00004 ppm	0.00062
INC	TS	04/03/96	EPA 200.7	0.002 ppm	0.599



316 Mecca Drive  
Lafayette, LA 70508-3306  
Telephone (318) 235-0483

**SHERRY LABORATORIES**  
INDIANA LOUISIANA OKLAHOMA  
James Laboratories

P.O. Box 81816  
Lafayette, LA 70598-1816  
Fax 318-233-6540  
800-737-2378

LAB I.D. 9603606-01A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE A  
DATE COLLECTED: 03/28/96 11:30

*Sherry Landry*  
Laboratory Representative

DATE EXTRACTED 04/05/96 DATE INJECTED 04/11/96 ANALYST GMC METHOD EPA 625

<u>COMPOUND</u>	<u>RESULT</u>	<u>COMPOUND</u>	<u>RESULT</u>
benzoic acid	<u>ND</u>	2-nitrophenol	<u>ND</u>
2-chlorophenol	<u>ND</u>	4-nitrophenol	<u>ND</u>
2,4-dichlorophenol	<u>ND</u>	p-chloro-m-cresol	<u>ND</u>
2,4-dimethylphenol	<u>ND</u>	pentachlorophenol	<u>ND</u>
2,4-dinitrophenol	<u>ND *</u>	phenol	<u>0.47</u>
2-methyl-4,6-dinitro-phenol	<u>ND **</u>	tetrachlorophenol	<u>ND</u>
2-methyl phenol	<u>0.36</u>	2,4,5-trichlorophenol	<u>ND</u>
4-methyl phenol	<u>0.23</u>	2,4,6-trichlorophenol	<u>ND</u>

All results reported in ppm unless otherwise specified.

ND = not detected at 0.20 ppm  
ND\* = not detected at 0.40 ppm  
ND\*\* = not detected at 1.0 ppm

**SURROGATE RECOVERIES (%)**

PHENOL-D5 ND  
2-FLUOROPHENOL ND  
2,4,6-TRIBROMOPHENOL ND



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LAB I.D. 9603606-01A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE A

DATE COLLECTED: 03/28/96 11:30

*James Landrum*  
Laboratory Representative

ANALYST GMC Date Extracted: 04/05/96 Date Analyzed: 04/11/96 Method: EPA 625

COMPOUND RESULT

acenaphthene 0.51  
acenaphthylene ND  
aniline ND  
anthracene 1.6  
benzidine ND  
benzo (a) anthracene 0.37  
benzo (a) pyrene ND  
benzo (b) fluoranthene ND  
benzo (ghi) perylene ND\*  
benzo (k) fluoranthene ND  
benzyl alcohol ND  
benzylbutyl phthalate ND  
bis (2-chlorethoxy)methane ND  
bis (2-chloroethyl) ether ND  
bis (2-chlorisopropyl) ether ND  
bis (2-ethylhexyl) phthalate ND  
4-bromophenyl phenyl ether ND  
carbazole ND  
4-chloroaniline ND  
2-chloronaphthalene ND

COMPOUND RESULT

4-chlorophenyl phenyl ether ND  
chrysene ND  
dibenzo (a,h) anthracene ND\*  
dibenzofuran 0.48  
1,2 dichlorobenzene ND  
1,3 dichlorobenzene ND  
1,4 dichlorobenzene ND  
3,3 dichlorobenzidine ND  
diethyl phthalate ND  
dimethyl phthalate ND  
di-n-butyl phthalate ND  
dinitrobenzene ND  
2,4-dinitrotoluene ND  
2,6-dinitrotoluene ND  
di-n-octyl phthalate ND  
1,2-diphenylhydrazine ND  
fluoranthene 0.83  
fluorene 0.71  
hexachlorobenzene ND  
hexachlorobutadiene ND

COMPOUND RESULT

hexachlorocyclopentadiene ND  
hexachloroethane ND  
indeno (1,2,3-cd) pyrene ND\*  
isophorone ND  
2-methylnaphthalene 0.69  
naphthalene 5.1  
2-nitroaniline ND  
3-nitroaniline ND  
4-nitroaniline ND  
nitrobenzene ND  
N-nitrosodimethylamine ND  
N-nitrosodiphenylamine ND  
N-nitrosodipropylamine ND  
phenanthrene ND  
2-picoline ND\*\*  
pyrene 0.61  
pyridine ND\*\*  
tetrachlorobenzene (s) ND  
toluendiamine ND  
1,2,4 trichlorobenzene ND

All results reported in ppm unless otherwise specified.

ND = not detected at detection limit 0.20 ppm  
ND \* = not detected at detection limit 0.40 ppm  
ND \*\* = not detected at detection limit 1.0 ppm

SURROGATE RECOVERIES (%)

2-fluorobiphenyl ND  
nitrobenzene-d5 ND  
terphenyl-d14 ND



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LAB I.D. 9603606-01A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE A

DATE COLLECTED: 03/28/96 11:30

*James Landry*  
LABORATORY REPRESENTATIVE

ANALYST GMC Date Analyzed: 04/04/96 Method EPA 624

<u>COMPOUND</u>	<u>RESULT</u>	<u>COMPOUND</u>	<u>RESULT</u>	<u>COMPOUND</u>	<u>RESULT</u>
acetone	<u>BDL</u>	chloromethane	<u>BDL</u>	paraldehyde	<u>BDL</u>
acrolein	<u>BDL</u>	dichlorodifluoromethane	<u>BDL</u>	styrene	<u>BDL</u>
acrylonitrile	<u>BDL</u>	1,1-dichloroethane	<u>BDL</u>	1,1,2,2-tetrachloroethane	<u>BDL</u>
benzene	<u>1.5</u>	1,2-dichloroethane	<u>BDL</u>	tetrachloroethylene	<u>BDL</u>
bis (chloromethyl) ether	<u>BDL</u>	1,1-dichloroethylene	<u>BDL</u>	toluene	<u>1.3</u>
bromodichloromethane	<u>BDL</u>	1,2-trans-dichloroethylene	<u>BDL</u>	1,1,1-trichloroethane	<u>BDL</u>
bromoform	<u>BDL</u>	1,2-dichloropropane	<u>BDL</u>	1,1,2-trichloroethane	<u>BDL</u>
bromomethane	<u>BDL</u>	cis-1,3-dichloropropylene	<u>BDL</u>	trichloroethylene	<u>BDL</u>
carbon disulfide	<u>BDL</u>	trans-1,3-dichloropropylene	<u>BDL</u>	vinyl acetate	<u>BDL</u>
carbon tetrachloride	<u>BDL</u>	ethylbenzene	<u>BDL</u>	vinyl chloride	<u>BDL</u>
chlorobenzene	<u>BDL</u>	fluorotrichloromethane	<u>BDL</u>	o-xylene	
chlorodibromomethane	<u>BDL</u>	2-hexanone	<u>BDL</u>	m-xylene TOTAL	<u>1.9</u>
chloroethane	<u>BDL</u>	methylene chloride	<u>1.4</u>	p-xylene	
2-chloroethylvinyl ether	<u>BDL</u>	methyl-isobutyl-ketone	<u>BDL</u>	1,2 dichlorobenzene	<u>BDL</u>
chloroform	<u>BDL</u>	methyl-ethyl-ketone	<u>BDL</u>	1,3 dichlorobenzene	<u>BDL</u>
				methyl methacrylate	<u>BDL</u>

All results reported in ppm unless otherwise specified.  
ND = not detected at detection limit 1.0 ppm

ND\*\* = not detected at 50 ppb  
ND\* = not detected at 100 ppb

SURROGATE RECOVERIES	(%)
1,2 DICHLOROETHANE-D4	<u>107</u>
TOLUENE-D8	<u>100</u>
BROMOFLUOROBENZENE	<u>92</u>

ING 00907



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Page 6

LAB I.D. 9603606-02A

DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

  
LABORATORY REPRESENTATIVE  
SHERRY LABORATORIES LA

<u>ANALYTE</u>	<u>ANALYST</u> <u>INITIALS</u>	<u>DATE</u> <u>ANALYZED</u>	<u>REFERENCE</u> <u>METHOD</u>	<u>DETECTION</u> <u>LIMIT</u>	<u>CONCENTRATION</u> <u>PPM</u>
SILVER	TS	04/03/96	EPA 200.7	0.007 ppm	BDL
ARSENIC	TS	04/03/96	EPA 206.3	0.0004 ppm	0.0152
BARIUM	TS	04/03/96	EPA 200.7	0.004 ppm	1.88
CADMIUM	TS	04/03/96	EPA 200.7	0.005 ppm	BDL
CHROMIUM	TS	04/03/96	EPA 200.7	0.007 ppm	0.015
MERCURY	TS	04/10/96	EPA 245.1	0.00002 ppm	0.00010
LEAD	TS	04/03/96	EPA 200.7	0.050 ppm	BDL
SELENIUM	TS	04/03/96	EPA 270.3	0.00004 ppm	0.00034
ZINC	TS	04/03/96	EPA 200.7	0.002 ppm	0.263

ING 00908



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LAB I.D. 9603605-02A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SBA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

*Jimmy Landry*  
Laboratory Representative

DATE EXTRACTED 04/05/96 DATE INJECTED 04/11/96 ANALYST GMC METHOD EPA 625

<u>COMPOUND</u>	<u>RESULT</u>	<u>COMPOUND</u>	<u>RESULT</u>
benzoic acid	<u>ND</u>	2-nitrophenol	<u>ND</u>
2-chlorophenol	<u>ND</u>	4-nitrophenol	<u>ND</u>
2,4-dichlorophenol	<u>ND</u>	p-chloro-m-cresol	<u>ND</u>
2,4-dimethylphenol	<u>ND</u>	pentachlorophenol	<u>ND</u>
2,4-dinitrophenol	<u>ND *</u>	phenol	<u>ND</u>
2-methyl-4,6-dinitro-phenol	<u>ND **</u>	tetrachlorophenol	<u>ND</u>
2-methyl phenol	<u>ND</u>	2,4,5-trichlorophenol	<u>ND</u>
4-methyl phenol	<u>ND</u>	2,4,6-trichlorophenol	<u>ND</u>

All results reported in ppm unless otherwise specified.

ND = not detected at 50 ppm  
ND\* = not detected at 100 ppm  
ND\*\* = not detected at 200 ppm

**SURROGATE RECOVERIES (%)**

PHENOL-D5 ND  
2-FLUOROPHENOL ND  
2,4,6-TRIBROMOPHENOL ND

ING 00909



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LAB I.D. 9603606-02A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SRA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

*Sherry Landry*  
Laboratory Representative

ANALYST CMC Date Extracted: 04/05/96 Date Analyzed: 04/11/96 Method: EPA 625

COMPOUND RESULT

acenaphthene 150  
acenaphthylene ND  
aniline ND  
anthracene 550  
benzidine ND  
benzo (a) anthracene ND  
benzo (a) pyrene ND  
benzo (b) fluoranthene ND  
benzo (ghi) perylene ND\*  
benzo (k) fluoranthene ND  
benzyl alcohol ND  
benzylbutyl phthalate ND  
bis (2-chloroethoxy)methane ND  
bis (2-chloroethyl)ether ND  
bis (2-chloroisopropyl) ether ND  
bis (2-ethylhexyl) phthalate ND  
4-bromophenyl phenyl ether ND  
carbazole ND  
4-chloroaniline ND  
2-chloronaphthalene ND

COMPOUND RESULT

4-chlorophenyl phenyl ether ND  
chrysene ND  
dibenzo (a,h) anthracene ND\*  
dibenzofuran 120  
1,2 dichlorobenzene ND  
1,3 dichlorobenzene ND  
1,4 dichlorobenzene ND  
3,3 dichlorobenzidine ND  
diethyl phthalate ND  
dimethyl phthalate ND  
di-n-butyl phthalate ND  
dinitrobenzene ND  
2,4-dinitrotoluene ND  
2,6-dinitrotoluene ND  
di-n-octyl phthalate ND  
1,2-diphenylhydrazine ND  
fluoranthene 280  
fluorene 180  
hexachlorobenzene ND  
hexachlorobutadiene ND

COMPOUND RESULT

hexachlorocyclopentadiene ND  
hexachloroethane ND  
indeno (1,2,3-cd) pyrene ND\*  
isophorone ND  
2-methylnaphthalene 160  
naphthalene 810  
2-nitroaniline ND  
3-nitroaniline ND  
4-nitroaniline ND  
nitrobenzene ND  
N-nitrosodimethylamine ND  
N-nitrosodiphenylamine ND  
N-nitrosodipropylamine ND  
phenanthrene ND  
2-picoline ND\*\*  
pyrene 220  
pyridine ND\*\*  
tetrachlorobenzene (s) ND  
toluendiamine ND  
1,2,4 trichlorobenzene ND

All results reported in ppm unless otherwise specified.

ND = not detected at detection limit 50 ppm  
ND \* = not detected at detection limit 100 ppm  
ND \*\* = not detected at detection limit 200 ppm

SURROGATE RECOVERIES (%)

2-fluorobiphenyl ND  
nitrobenzene-d5 ND  
terphenyl-d14 ND

ING 00910



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LAB I.D. 9603606-02A DATE REPORTED: 04/16/96

SAMPLE DESCRIPTION SRA - SAMPLE B

DATE COLLECTED: 03/28/96 12:45

*James Landry*  
LABORATORY REPRESENTATIVE

ANALYST CNC Date Analyzed: 04/04/96 Method EPA 624

COMPOUND	RESULT	COMPOUND	RESULT	COMPOUND	RESULT
acetone	<u>BDL</u>	chloromethane	<u>BDL</u>	paraldehyde	<u>BDL</u>
acrolein	<u>BDL</u>	dichlorodifluoromethane	<u>BDL</u>	styrene	<u>BDL</u>
acrylonitrile	<u>BDL</u>	1,1-dichloroethane	<u>BDL</u>	1,1,2,2-tetrachloroethane	<u>BDL</u>
benzene	<u>2.7</u>	1,2-dichloroethane	<u>BDL</u>	tetrachloroethylene	<u>4.1</u>
bis (chloromethyl) ether	<u>BDL</u>	1,1-dichloroethylene	<u>BDL</u>	toluene	<u>2.9</u>
bromodichloromethane	<u>BDL</u>	1,2-trans-dichloroethylene	<u>BDL</u>	1,1,1-trichloroethane	<u>BDL</u>
bromoform	<u>BDL</u>	1,2-dichloropropane	<u>BDL</u>	1,1,2-trichloroethane	<u>BDL</u>
bromomethane	<u>BDL</u>	cis-1,3-dichloropropylene	<u>BDL</u>	trichloroethylene	<u>BDL</u>
carbon disulfide	<u>BDL</u>	trans-1,3-dichloropropylene	<u>BDL</u>	vinyl acetate	<u>BDL</u>
carbon tetrachloride	<u>BDL</u>	ethylbenzene	<u>1.7</u>	vinyl chloride	<u>BDL</u>
chlorobenzene	<u>BDL</u>	fluorotrichloromethane	<u>BDL</u>	o-xylene	
chlorodibromomethane	<u>BDL</u>	2-hexanone	<u>BDL</u>	m-xylene TOTAL	<u>7.7</u>
chloroethane	<u>BDL</u>	methylene chloride	<u>BDL</u>	p-xylene	
2-chloroethylvinyl ether	<u>BDL</u>	methyl-isobutyl-ketone	<u>BDL</u>	1,2 dichlorobenzene	<u>BDL</u>
chloroform	<u>BDL</u>	methyl-ethyl-ketone	<u>BDL</u>	1,3 dichlorobenzene	<u>BDL</u>
				methyl methacrylate	<u>BDL</u>

All results reported in ppm unless otherwise specified.  
ND = not detected at detection limit 1.0 ppm

ND\*\* = not detected at 50 ppb  
ND\* = not detected at 100 ppb

SURROGATE RECOVERIES	(%)
1,2 DICHLOROETHANE-D4	<u>106</u>
TOLUENE-D8	<u>102</u>
BROMOFLUOROBENZENE	<u>97</u>

ING 00911

# SHERRY LABORATORIES

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219-471-7000  
Fax 219-471-7777

2203 S. Madison St.  
MUNCIE IN 47302  
317-747-9000 / 800-874-3563  
Fax 317-747-0228

316 Mecca Dr.  
LAFAYETTE LA 70508  
318-235-0483 / 800-737-2378  
Fax 318-233-6540

10835 E. Independence, Suite 102  
TULSA OK 74116  
918-234-7111 / 800-324-5757  
Fax 918-234-7152

Page 1 of 1

## Chain of Custody Record

Laboratory Number 603606

Client Name: JESCO.				Project Name: SBA				Preservative	Number/ Type of Container	Matrix Code	Tests Requested								Comments/ Remarks
Contact Name: S. Teal				Project #: 153							<div style="display: flex; justify-content: space-between;"> <div>Volatiles</div> <div>Semi-Volatiles</div> <div>T-Metals</div> </div>								
Phone/Fax: 824-9074/824-9076				Sampler's Signature: <i>[Signature]</i>															
Collection Date	Time	Grab	Comp	Sample Identification / Description															
3/28/96	11:30 AM	X		Sample A				HNO <sub>3</sub>	1	P	mw								
				Sample A				-	1	G	mw		X						
				Sample A				-	2	G	mw	X							
3/28/96	12:45 AM	X		Sample B				HNO <sub>3</sub>	1	P	mw			X					
				Sample B				-	1	G	mw		X						
				Sample B				-	2	G	mw	X							
																		UPS / FedEx Airborne / Sherry Hand / Mail	

All samples submitted to Sherry Laboratories for analysis are accepted on a custodial basis only. Ownership of the material remains with the client submitting the samples. Sherry Laboratories reserves the right to return unused sample portions.

P.O. Number

Relinquished by: (Signature)	Received by: (Signature)	Date	Time	Relinquished by: (Signature)	Received by: (Signature)	Date	Time
<i>[Signature]</i>		3-29-96	11:15 AM				
Relinquished by: (Signature)	Received by: (Signature)	Date	Time	Relinquished by: (Signature)	Received by: (Signature)	Date	Time
						3/29/96	11:15

Matrix Codes  
 DW = Drinking Water MW = Monitoring Well  
 WW = Waste Water W = Water SL = Sludge  
 SO = Soil O = Oil OT = Other

Container Types  
 G = Glass  
 P = Plastic

Shipping Conditions  
☐ Iced  
☐ Ambient

Which Regulations Apply  
☐ RCRA ☐ Drinking Water ☐ NPDES  
☐ POTW ☐ Other

Thank-you for using SHERRY LABORATORIES  
 The Source for Metallurgical, Materials, &  
 Environmental Testing Services

SBA SHIPYARDS, INC. PROBABLE SOURCES OF CONTAMINANTS CURRENTLY PRESENT IN TANKS AND PITS			
COMPANY	DATE(S)*	VESSEL NUMBER	PREVIOUS 3 CARGOES
Ingram Barge Lines	1/9/87	7027 <i>ghe</i>	Crude
	3/16/88	George <i>id</i>	#6 Oil/Coal Tar
	3/30/88	Hollywood 2102	Slop #6 Oil
	9/22/88	IB-1302	Creosote, Coal Tar
	10/10/88	IB-1302	Coal Tar (3)
	1/25/89	IB-1308	Heavy Aromatics/Gasoline
	11/8/93	IB-2710	Crude Oil

\* - Based on date from Marine Chemist's Gas Free Certificate



# CENAC TOWING COMPANY, INC.

TUGS - BARGES - DIESEL FUEL  
CRUDE OIL TRANSPORTATION

P.O. BOX 2617 • HOUMA, LOUISIANA 70361  
HOUMA (504) 872-2413 • NEW ORLEANS (504) 525-3387

March 27, 1996

Ingram Barge Lines  
P.O. Box 23049  
Nashville, TN 37020

ATTENTION: Jim Anderson/Bill Morelli

SUBJECT: S.B.A. SHIPYARD

Dear Sir:

By now I am sure you have received the information from Schwab & Walter addressing the potential Responsible parties and Voluntary Funding of S.B.A. Shipyards, Inc.

I have tried on three occasions to talk to Schwab & Walter and never had my phone calls returned. This letter is a request that we do have a meeting amongst all the potential parties with out any lawyers present to talk about this matter.

From first hand experience I have been through three of these type situations, one before it was declared a superfund, one after it was declared a superfund site and one in-between. The cost for all of these have been astronomical and cost millions. In one case over two hundred million of which the lawyers and a class action lawsuits received the majority of the money.

We as a group need to address this situation and develop a strategy in which to handle this mess. I have visited with the head E.P.A. person in charge of this site from Dallas and discussed this matter at length with him. We can control this situation and keep the cost down if we approach it correctly.

If there is any interest in pursuing this approach, please send a return letter and a week in April that we can try and arrange a meeting.

Sincerely,

A handwritten signature in dark ink, appearing to read "Arlen B. Cenac, Jr.", with a large, stylized flourish extending from the end of the signature.

Arlen B. Cenac, Jr.  
PRESIDENT - CENAC TOWING CO., INC.

ING 00918